

1           IN THE UNITED STATES DISTRICT COURT  
2           FOR THE NORTHERN DISTRICT OF OHIO  
3           EASTERN DIVISION

4                   -   -   -

5  
6           IN RE:    NATIONAL                   :   HON. DAN A.  
7           PRESCRIPTION OPIATE               :   POLSTER  
8           LITIGATION                         :  
9   :  
10          APPLIES TO ALL CASES               :   NO.  
11    :   1:17-MD-2804  
12    :  
13    :

14                   - HIGHLY CONFIDENTIAL -

15          SUBJECT TO FURTHER CONFIDENTIALITY REVIEW

16                   -   -   -

17                   July 19, 2018

18                   -   -   -

19                   Videotaped deposition of  
20           MICHAEL ORIENTE, taken pursuant to  
21           notice, was held at the law offices of  
22           Weitz & Luxenberg, 700 Broadway, New York  
23           New York, beginning at 9:01 a.m., on the  
24           above date, before Michelle L. Gray, a  
25           Registered Professional Reporter,  
26           Certified Shorthand Reporter, Certified  
27           Realtime Reporter, and Notary Public.

28                   -   -   -

29                   GOLKOW LITIGATION SERVICES  
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ALSO PRESENT:

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10 VIDEOTAPE TECHNICIAN:

10

Henry Marte

11

12 LITIGATION TECHNICIAN:

13

14

ALSO PRESENT:

15

Carol Moore  
16 Sarah Merced  
Sara Papantonio  
17 Olivia Bergert  
(Levin Papantonio)

18

19

Donna Rozman  
(Weisman Kennedy)

20

21

22

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24

1 - - -  
2 I N D E X  
3 - - -  
4

5 Testimony of: MICHAEL ORIENTE

6 By Mr. Papantonio 25, 583  
7 By Mr. Kennedy 321, 603  
8 By Ms. Henn 575  
9 By Mr. O'Croinin 598  
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11

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		5/31/11	
7		Subject, High	
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8		To Threshold	
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10			
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15		Subject, Sales	
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DEPOSITION SUPPORT INDEX

Direction to Witness Not to Answer

PAGE LINE

None.

Request for Production of Documents

PAGE LINE

None.

Stipulations

PAGE LINE

None.

Questions Marked

PAGE LINE

None.

1 THE VIDEOGRAPHER: We are  
2 now on the record. My name is  
3 Henry Marte. I am a videographer  
4 for Golkow Litigation Services.

5 Today's date is July 19,  
6 2018. And the time is 9:01 a.m.

7 This videotaped deposition  
8 is being held at 700 Broadway, New  
9 York, New York in the matter of In  
10 Re: National Prescription Opiate  
11 Litigation.

12 The deponent today is  
13 Mr. Michael Oriente.

14 All appearances please  
15 introduce themselves for the  
16 record.

17 MR. PAPANTONIO: Mike  
18 Papantonio for the plaintiff.

19 You know what, let's just  
20 get everybody in the room so  
21 there's no --

22 MS. MOORE: Okay. Carol  
23 Moore for the plaintiff.

24 MS. MERCED: Sarah Merced

1                   for the plaintiff.

2                   MR. WOLFE:   Evan Wolfe for  
3                   plaintiff.

4                   MR. KENNEDY:   Eric Kennedy,  
5                   plaintiffs.

6                   MS. ROZMAN:   Donna Rozman  
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8                   MR. ASQUITH:   Brian Asquith  
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11                  plaintiffs.

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13                  the plaintiff.

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17                  Hlawtsch, defendant Amerisource  
18                  Bergen Corporation -- Amerisource  
19                  Bergen Drug Corporation and  
20                  Amerisource Bergen Corporation.

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22                  for defendant Prescription Supply,  
23                  Inc.

24                  MR. ROSENBERG:   James

1 Rosenberg, HBC Services Company.

2 MS. DURFEE: Laura Jane  
3 Durfee, Walmart.

4 MS. KVESELIS: Emily  
5 Kveselis, McKesson.

6 MS. HENN: Emily Henn on  
7 behalf of McKesson and the  
8 witness.

9 MR. ORIENTE: Michael  
10 Oriente, McKesson.

11 MR. PAPANTONIO: We get  
12 everybody?

13 Go ahead.

14 MS. VICARI: Angela Vicari  
15 of Arnold and Porter, here for  
16 Endo Health Solutions; Endo  
17 Pharmaceuticals, Inc.; Barr  
18 Pharmaceutical, Inc.; and Barr  
19 Pharmaceutical Company, Inc.

20 MR. SALTZ: Adam Saltz for  
21 the plaintiff.

22 MR. GOLDSTEIN: Josh  
23 Goldstein, Ropes & Gray for  
24 Mallinckrodt.

1 MR. PAPANTONIO: We have  
2 people on the telephone. If  
3 you're on the phone, would you  
4 identify yourself, please?

5 MS. SACKS: Shayna Sacks --

6 MR. PAPANTONIO: Oh, I'm  
7 sorry. Hang on.

8 MS. SACKS: -- for the  
9 plaintiff. Sorry.

10 MR. PAPANTONIO: Shayna?  
11 Okay. My apologies.

12 MS. SILANE: Caroline Silane  
13 for defendant, Rite Aid of  
14 Maryland, Inc.

15 MR. MONAHAN: Matthew  
16 Monahan on behalf of defendant  
17 Cardinal Health, Inc.

18 MS. PAPANTONIO: Sara  
19 Papantonio, plaintiff.

20 MS. BERGERT: Olivia  
21 Bergert, plaintiff.

22 MR. PAPANTONIO: We've got  
23 people coming in.

24 MS. O'GORMAN: I represent

1 Purdue.

2 MR. PAPANTONIO: Purdue.

3 And what is your name?

4 MS. O'GORMAN: Debra

5 O'Gorman.

6 MR. PAPANTONIO: Debra. All  
7 right. So we got everybody in  
8 here right now.

9 Okay. On the telephone, who  
10 do we have on the phone?

11 Nobody? Okay.

12 MR. CROUSE: Doug Crouse for  
13 Miami-Luken.

14 MR. PAPANTONIO: Okay. Who  
15 else?

16 MR. LAZAR: Good morning.  
17 This is Zach Lazar from Morgan  
18 Lewis, on behalf of the Teva  
19 defendants.

20 MR. PAPANTONIO: Okay.  
21 Anybody else?

22 MS. COVERSTONE: Kaitlyn  
23 Coverstone from Kirkland & Ellis,  
24 on behalf of Allergan.



1 MR. PAPANTONIO: All right.  
2 Anybody else?

3 MR. FARRELL: Paul Farrell  
4 on behalf of plaintiffs.

5 MR. PAPANTONIO: All right.  
6 Anybody else?

7 All right. With that, it  
8 sounds we are about ready. Just  
9 swear the witness and we'll get  
10 started.

11 - - -

12 ... MICHAEL ORIENTE, having  
13 been first duly sworn, was  
14 examined and testified as follows:

15 - - -

16 EXAMINATION

17 - - -

18 BY MR. PAPANTONIO:

19 Q. Sir, state your name,  
20 please?

21 A. My name is Michael Oriente.

22 Q. Mr. Oriente, you were one of  
23 the directors of regulatory affairs for  
24 McKesson; is that correct?

1 A. Yes.

2 Q. How many years did you do  
3 that?

4 A. I have been doing it since  
5 late 2007 and continue to still do it  
6 today.

7 Q. And with that, sir, you were  
8 expected to understand all of the  
9 regulatory -- all of the regulatory  
10 requirements that McKesson was supposed  
11 to follow in the sale of opioids; is that  
12 correct?

13 A. I would monitor the  
14 purchases for the sales of controlled  
15 substances to our customers.

16 Q. Let me ask the question  
17 again. You were expected to understand  
18 all of the regulatory requirements that  
19 McKesson was supposed to follow as it  
20 sold narcotic drugs, opioids?

21 MS. HENN: Objection to  
22 form.

23 THE WITNESS: Yes.

24 BY MR. PAPANTONIO:

1 Q. Is that a correct statement?

2 A. Yes.

3 Q. Okay. Mr. Oriente, I  
4 understand that you sometimes have a  
5 problem hearing. If you can't hear what  
6 I'm saying, please interrupt me. Say, "I  
7 just didn't hear you. Repeat the  
8 question." Okay? And we'll do that as  
9 we proceed here today.

10 A. Okay.

11 Q. All right. So if management  
12 at McKesson hid information from you  
13 about how they were going about  
14 distributing their drugs, that would  
15 affect your ability as a regulator to do  
16 your job, wouldn't it?

17 MS. HENN: Objection to  
18 form.

19 THE WITNESS: I did -- I did  
20 not know of any hidden  
21 information.

22 BY MR. PAPANTONIO:

23 Q. I didn't say that. Listen  
24 very carefully to the questions,

1 Mr. Oriente.

2 I asked you if McKesson  
3 management hid information about how they  
4 were going about distributing narcotic  
5 drugs, that would affect your ability to  
6 do your job as a regulator. Is that yes  
7 or no?

8 MS. HENN: Objection to  
9 form.

10 THE WITNESS: It could if I  
11 didn't have all the information,  
12 yes.

13 BY MR. PAPANTONIO:

14 Q. It could if you didn't have  
15 all the information. Why would it affect  
16 you if you didn't have all the  
17 information?

18 MS. HENN: Objection to  
19 form.

20 THE WITNESS: I would -- I  
21 would need to understand the full  
22 amount that a customer was  
23 purchasing.

24 BY MR. PAPANTONIO:

1           Q.       Okay. Fair enough. So the  
2       more information you had about how  
3       McKesson was going about distributing  
4       narcotic drugs, the better you can  
5       determine how to adjust your job in  
6       regulatory; is that a correct statement?

7           MS. HENN: Objection to  
8       form.

9           THE WITNESS: Could you  
10      repeat the question?

11     BY MR. PAPANTONIO:

12           Q.       Yeah. The more information  
13      you had about how McKesson was  
14      distributing their drugs, their narcotic  
15      drugs, the better you could do as a  
16      regulator in performing your job?

17           MS. HENN: Objection to  
18      form.

19           THE WITNESS: Yes. The more  
20      information I had, the better  
21      decision I could make.

22     BY MR. PAPANTONIO:

23           Q.       And, Mr. Oriente, if the  
24      information about distribution of those

1     narcotics is hidden from you as a  
2     regulator, you're not able to adjust to  
3     what you need to do as a regulator. If  
4     they're hiding information, you can't do  
5     your job as a regulator. Would you agree  
6     with that?

7                     MS. HENN: Objection to  
8                     form.

9                     THE WITNESS: I would say  
10                    that I had all the information  
11                    that I needed to perform my job.  
12                    I was unaware of any information  
13                    not being shared with myself.

14     BY MR. PAPANTONIO:

15                    Q. All right. Let's talk about  
16                    some of that information right now.

17                    MR. PAPANTONIO: Please put  
18                    up Document 1428, Evan. Mr. --  
19                    huh?

20                    MS. MOORE: That's McKesson  
21                    Oriente 383.

22     BY MR. PAPANTONIO:

23                    Q. Okay. As we're proceeding  
24                    here, Emily, what's going to happen is

1 she's going to read a number for  
2 identification of the document into the  
3 record because we're marking each one of  
4 these as we go.

5 MR. PAPANTONIO: Okay. So,  
6 Carol, if you would do that as you  
7 proceed.

8 Did you hear what that  
9 number was? Okay.

10 MS. HENN: So, Counsel, is  
11 the document premarked? Is that  
12 what you're saying?

13 MR. PAPANTONIO: Yes, it's  
14 premarked, because that way we  
15 can -- we're doing it by Oriente  
16 exhibit as a deposition. We're  
17 going to be doing that as we go  
18 forward. I'm sure you are going  
19 to be covering a lot of these  
20 depos.

21 The idea is we're going to  
22 be marking a document with an  
23 exhibit for that deposition.

24 MS. HENN: Is there any

1           reason not to start with McKesson  
2           Oriente-1?

3                   MR. PAPANTONIO: Yeah, there  
4           is. There is. And we'll explain  
5           that as we go. But this is easily  
6           identified when you go back and  
7           look at the record. That's all  
8           I'm saying.

9                   MS. HENN: Just for the  
10          record, our preference would be to  
11          do it in order to make it simpler.  
12          You handed me two copies. Which  
13          one is for the witness?

14                  MR. PAPANTONIO: One is for  
15          the witness, and one for you, and  
16          one is for Emily next to you if  
17          you'd like.

18                  MS. HENN: Do you have one  
19          for -- additional copies?

20                  MR. PAPANTONIO: I don't  
21          think we have that many. You may  
22          have to -- you may have to share.

23                  MS. HENN: I think the  
24          protocol requires four copies --



1 MR. PAPANTONIO: I'm sure we  
2 do have four copies.

3 MS. HENN: -- so defendants  
4 can have copies.

5 (Document marked for  
6 identification as Exhibit  
7 MCK-Oriente-383.)

8 BY MR. PAPANTONIO:

9 Q. All right. Let -- sir,  
10 Mr. Oriente, as we're proceeding today  
11 what I'm going to be doing is I'm going  
12 to be putting documents up on the screen.  
13 The screen will both be in front of you,  
14 you'll be able to see the big screen up  
15 here.

16 Either -- feel free to use  
17 either one.

18 A. All right. Thank you.

19 Q. Now, this document is titled  
20 "In the Matter of McKesson Corporation."  
21 Take a look at that. Let's go -- let's  
22 take a look at this document.

23 Have you seen this document?

24 A. I have not.

1 Q. Okay. When did you first  
2 get information -- when were you first  
3 told by your company that you were going  
4 to be appearing here in a deposition?

5 A. I don't recall the exact  
6 date. It would have been a few weeks  
7 back.

8 Q. Would you say three weeks,  
9 four weeks? What would you say?

10 MS. HENN: Objection to  
11 form.

12 THE WITNESS: I would take  
13 an estimate of about four weeks.

14 BY MR. PAPANTONIO:

15 Q. Okay. In that time that you  
16 knew that you were going to be coming  
17 here for a deposition, did you have the  
18 opportunity to review any documents?

19 A. No. I did not go back and  
20 look at anything.

21 Q. All right. But this  
22 document that we're looking at right now  
23 called, "In the Matter of McKesson  
24 Corporation," it says at the bottom, "DEA

1 Diversion Group, Washington Division."

2 You've never seen this  
3 document; is that a correct statement?

4 A. That is correct.

5 Q. All right. Would you turn  
6 to the next page of that document. I  
7 want to review this document with you.  
8 And I want to ask you questions about  
9 this document as far as your  
10 understanding of your regulatory  
11 responsibilities for this company. Okay?

12 MS. HENN: Counsel, just one  
13 statement I'd like to make on the  
14 record.

15 First of all, did we get the  
16 Bates number of the document into  
17 the record?

18 MR. PAPANTONIO: No. We're  
19 going to -- here's what we're  
20 going to do. We're not going to  
21 take the time to read Bates  
22 numbers here, because we only have  
23 so much time. At the end of it we  
24 will sit there and read the Bates

1 numbers as we go. Okay.

2 MS. HENN: Okay. I would  
3 just like to note that this  
4 document is marked confidential,  
5 and that pursuant to the protocol  
6 entered by the court, the court  
7 reporter shall clearly mark this  
8 transcript prior to the expiration  
9 of the 30-day period as highly  
10 confidential subject to further  
11 confidentiality review. Thank  
12 you.

13 BY MR. PAPANTONIO:

14 Q. Well, Mr. Oriente, this was  
15 so confidential that they didn't tell you  
16 about it, did they?

17 MS. HENN: Objection to  
18 form.

19 BY MR. PAPANTONIO:

20 Q. I mean, this is -- you heard  
21 this is a confidential document. And you  
22 had been with the company -- how many --  
23 how many years you've been with the  
24 company?

1           A.       With McKesson total,  
2    14 years.

3 Q. And this is so confidential  
4 that they didn't tell you about it and  
5 you're one of the directors of regulatory  
6 for McKesson; is that a correct  
7 statement?

8 MS. HENN: Objection to  
9 form.

10 THE WITNESS: I am one of  
11 the directors of regulatory, yes.

12 BY MR. PAPANTONIO:

Row	Start (approx. %)	End (approx. %)
1	25	90
2	0	100
3	0	82
4	0	88
5	38	88
6	0	95
7	25	93
8	0	88
9	0	100
10	0	75

22 Q. Well, sir, you -- Landover  
23 was an area that you regulated, isn't it?

24 MS. HENN: Objection to

1 form.

2 THE WITNESS: I was  
3 responsible for the Landover  
4 distribution center, yes.

5 BY MR. PAPANTONIO:

6 Q. Tell the jury what the  
7 Landover distribution center is.

8 A. Landover distribution center  
9 was located in Landover, Maryland, and it  
10 distributed controlled substances, Rx  
11 product and OTC to McKesson customers in  
12 that geographic area.

13 Q. Tell me what the  
14 geographic -- how many states did that  
15 geographic area cover?

16 A. The Landover distribution  
17 center had customers in, of course,  
18 Maryland, West Virginia, Delaware,  
19 Washington D.C. I believe that was the  
20 general area that they serviced.

21 Q. How many years were you the  
22 director of regulatory there at Landover?

23 MS. HENN: Objection to  
24 form.

1 THE WITNESS: I'm not  
2 exactly sure when the Landover  
3 distribution center stopped  
4 operating. But I was there from  
5 late 2007 to when it closed.

6 BY MR. PAPANTONIO:

7 Q. And it closed in 2012,  
8 didn't it?

9 A. I am unaware of the exact  
10 date that it closed.

11 Q. All right. We'll get to  
12 that.

[REDACTED]

■                    ■                    ■  
■                    ■

3                    Q.            And during that entire time,  
4                    you were there at Landover, weren't you?

5                    MS. HENN:    Objection to  
6                    form.

7                    THE WITNESS:    Yes.

8                    BY MR. PAPANTONIO:

9                    Q.            During the time 2008 through  
10                    2012, you were there and you were the  
11                    director -- you were the director of  
12                    regulatory; is that a correct statement?

13                    A.            Yes.

14                    Q.            And then it actually -- it  
15                    mentions right down underneath the next  
16                    line, it says, "Landover" -- do you see  
17                    where it says "Landover distribution  
18                    center"? It gives DEA, and then it gives  
19                    a number. That number, what is that  
20                    number, sir?

21                    A.            I do not know what that  
22                    number stands for.

23                    Q.            Okay. And then it says,  
24                    "Landover is no longer in operation."



1 Do you see that?

2 A. Yes.

3 Q. Go to the next page please.

4 MS. HENN: And I'll just  
5 remind the witness he can take  
6 whatever time he'd like to review  
7 the document.

8 BY MR. PAPANTONIO:

9 Q. Do you see the next page  
10 there? It says, "Civil liability."

11 Do you see that?

12 A. Yes. It's at the top of the  
13 page.

14 Q. In this confidential  
15 document that you've never seen prior to  
16 me putting it in front of you today, the  
17 first thing it says is it talks about  
18 what McKesson liability is.

19 Do you see, "McKesson  
20 liability emanates from 21 U.S.C.  
21 842(a)5."

22 Do you see that?

23 A. Yes, I see it here.

24 Q. You know what that is, don't

1       you, Mr. Oriente?

2                       MS. HENN:   Objection to  
3                       form.

4       BY MR. PAPANTONIO:

5               Q.       You've seen that number  
6       before, haven't you?

7               A.       I have not seen that number  
8       before, no.

9               Q.       Before you went to -- before  
10      you went to regulatory, nobody told you  
11      about 21 U.S.C. 842. Is that your  
12      testimony here today?

13                    MS. HENN:   Objection to  
14                    form.

15                    THE WITNESS: I am not  
16                    familiar with that specific  
17                    listing.

18      BY MR. PAPANTONIO:

19               Q.       Well, let's do -- let's look  
20      at the next listing, 21 U.S.C. 823. Had  
21      anybody shown you that prior to the time  
22      that you took over regulatory -- director  
23      of regulatory at Landover? Had anybody  
24      showed you that?

1           A.       No one showed me that. But  
2       I am familiar that, you know, we had a  
3       system in place to watch for diversion as  
4       far as sales for size, frequency, and  
5       pattern of orders.

6           Q.       Right. And if you didn't do  
7       that, you would be breaking the law,  
8       wouldn't you?

9                   MS. HENN: Objection to  
10       form.

11                  THE WITNESS: I can't say  
12       that we'd be breaking the law.  
13       That is the requirement to meet  
14       that requirement.

15       BY MR. PAPANTONIO:

16           Q.       Well, if you didn't do that,  
17       sir, the DEA would fine you, wouldn't  
18       they?

19                  MS. HENN: Objection to  
20       form.

21       BY MR. PAPANTONIO:

22           Q.       If you didn't do what 21  
23       U.S.C. 823 told you to do, the DEA would  
24       fine you, yes or no?

1 MS. HENN: Objection to  
2 form.

3 THE WITNESS: I believe they  
4 would have the ability to. It's  
5 not necessarily that they would.

6 BY MR. PAPANTONIO:

7 Q. Well, not to comply with 21  
8 U.S.C. 823 would be unlawful. Can we  
9 agree on that?

10 A. We need to follow the  
11 regulation. That is correct.

12 Q. And not to do it would be  
13 considered unlawful, yes or no?

14 MS. HENN: Objection to  
15 form.

16 THE WITNESS: We would need  
17 to follow that, and I believe that  
18 we would be out of compliance if  
19 we did not.

20 BY MR. PAPANTONIO:

21 Q. Well, you see it says,  
22 "Failure to provide effective controls  
23 against theft, diversion of controlled  
24 substance in violation of 21 C.F.R.," and

1       then it gives you a section, right?

2                   Are you familiar with 21  
3       C.F.R. 1301?

4               A.       I don't know the exact  
5       listing of 21 C.F.R. and that section.  
6       But I do understand that we needed to  
7       have a controlled substance in place, and  
8       that is, you know, how we monitored the  
9       sales of the controlled substances.

10              Q.       Well, you know one thing 21  
11       U.S.C. 823 told you to do is that you  
12       were supposed to provide suspicious order  
13       reports to the DEA, weren't you?

14                   MS. HENN:  Objection to  
15       form.

16                   THE WITNESS:  Yes, we would  
17       report suspicious orders when we  
18       deemed them suspicious.

19       BY MR. PAPANTONIO:

20              Q.       And if you deemed them  
21       suspicious and you failed to report them,  
22       that would be unlawful, wouldn't it?

23                   MS. HENN:  Objection to  
24       form.

1 THE WITNESS: We would  
2 report those that were deemed  
3 suspicious, yes.

4 BY MR. PAPANTONIO:

5 Q. And if you failed to do  
6 that, that would be unlawful, correct?  
7 Yes or no sir?

8 MS. HENN: Objection.  
9 Objection to form.

10 THE WITNESS: If we did not  
11 report a suspicious order that we  
12 deemed suspicious, yes.

13 BY MR. PAPANTONIO:

14 Q. All right. And then it says  
15 right -- the next one is C.F.R. 1301.  
16 You've seen that before, haven't you? In  
17 your role as regulatory for Landover, you  
18 were familiar with 21 C.F.R. 1301,  
19 correct?

20 MS. HENN: Objection to  
21 form.

22 THE WITNESS: I, again, do  
23 not know the specific regulation  
24 from -- from memory. I know that

1           we followed the 21 C.F.R. But I  
2           don't -- I cannot tell you what 21  
3           C.F.R. Section 1301.71  
4           specifically states.

5       BY MR. PAPANTONIO:

6           Q.     You did -- how many years  
7           were you regulatory?

8                   MS. HENN: Objection to  
9           form.

10                   THE WITNESS: Since late  
11           2007 through today.

12       BY MR. PAPANTONIO:

13           Q.     You're still in regulatory  
14           today, correct?

15           A.     That is correct.

16           Q.     And you understand, being in  
17           regulatory, that you had a responsibility  
18           to design and operate a system that would  
19           disclose suspicious orders to the DEA  
20           when you found them to be suspicious; is  
21           that correct?

22                   MS. HENN: Objection to  
23           form.

24                   THE WITNESS: That is

1 correct.

2 BY MR. PAPANTONIO:

3 Q. And not to do that would be  
4 breaking the law, wouldn't it?

5 MS. HENN: Same objection.

6 BY MR. PAPANTONIO:

7 Q. Correct? It would be  
8 breaking the law, wouldn't it,  
9 Mr. Oriente?

10 A. Not to report the suspicious  
11 orders would not be following the  
12 regulation.

13 Q. Isn't -- but let's be clear.  
14 Because we're going to be talking. It  
15 would be breaking the law that you're  
16 supposed to follow under 21 U.S.C., yes  
17 or no?

18 MS. HENN: Objection to  
19 form.

20 THE WITNESS: We have a  
21 requirement to follow that  
22 requirement, and so we need to  
23 follow the law.

24 BY MR. PAPANTONIO:



1 Q. And if you don't, that's  
2 called breaking the law, isn't it? Can  
3 we agree on that?

4 MS. HENN: Objection to  
5 form.

6 BY MR. PAPANTONIO:

7 Q. Because if there's something  
8 in between, Mr. Oriente, this is your  
9 time to tell everybody in this room, if  
10 there's something that's different from  
11 what I'm saying, break the law. Is there  
12 another term that you want to use as we  
13 proceed here today?

14 MS. HENN: Objection to  
15 form.

16 THE WITNESS: I would not  
17 say that -- a different term. It  
18 would -- it would not be following  
19 the law.

20 BY MR. PAPANTONIO:

21 Q. Okay. Okay. I'm good with  
22 that, Mr. Oriente. We'll move on.

23 Let's go to the next page.

24 MS. HENN: I'd also like to

1 ask the approximately three people  
2 that joined the phone call since  
3 we began to please identify  
4 themselves for the record.

5 Anybody on the phone who's  
6 not yet identified yourself, could  
7 you please just identify yourself  
8 for the record?

9 MR. GOETZ: Dan Goetz from  
10 Weisman Kennedy.

11 MS. COOK: Renee Cook.

12 MR. HERMAN: Dustin Herman  
13 from Spangenberg, for the  
14 plaintiffs.

15 MS. HENN: Anybody else?

16 MR. DeROCHE: James DeRoche  
17 from Weisman Kennedy.

18 MS. HENN: Anybody else?

19 Thank you.

20 MR. PAPANTONIO: Thank you,  
21 Emily, for catching that. I  
22 didn't hear the little beeps.

23 BY MR. PAPANTONIO:

24 Q. All right. Mr. Oriente,

1 let's go ahead to the next page. Now, as  
2 your lawyer told you, I don't want to  
3 jump into this page without you taking a  
4 look at it. Take a minute and look at  
5 it, because this is the first time you've  
6 seen this confidential document. I think  
7 it was characterized as highly  
8 confidential, right?

9 MS. HENN: Objection to  
10 form.

11 BY MR. PAPANTONIO:

12 Q. It says, "McKesson is  
13 subject" -- let's just look at Paragraph  
14 2. 21 U.S.C. 842.

15 Do you see that?

16 Have you ever seen 21 U.S.C.  
17 842?

18 A. I have not.

19 Q. Sir, let me preface  
20 something. Did you not attend -- did you  
21 not attend seminars that the DEA actually  
22 put on for directors of regulatory for  
23 McKesson? Do you ever remember attending  
24 a seminar that talked to you about these

1       very things that you're supposed to be  
2       doing as a regulator?

3                       MS. HENN:   Objection to  
4                       form.

5                       THE WITNESS:   I personally  
6                       did not attend the seminar.

7       BY MR. PAPANTONIO:

8                       Q.       But you were a director.   Is  
9       there any -- at Landover, correct?   You  
10      were a director of regulatory?

11                      MS. HENN:   Objection to  
12                      form.

13                      THE WITNESS:   Landover was  
14                      one of my distribution centers  
15                      that I oversaw, yes.

16      BY MR. PAPANTONIO:

17                      Q.       We're going to talk about  
18      other distribution centers.   But right  
19      now, we can establish that you were the  
20      director at Landover; is that a correct  
21      statement?

22                      MS. HENN:   Objection to  
23                      form.

24                      THE WITNESS:   For

1 regulatory, yes.

2 BY MR. PAPANTONIO:

3 Q. All right. And you never  
4 attended any of the DEA seminars that  
5 they put on for directors of regulatory  
6 telling them what the laws were and what  
7 your responsibilities were; is that a  
8 correct statement?

9 A. I did not attend.

10 Q. All right. So let's --  
11 let's read this. It says, "21 U.S.C.  
12 provides that it's unlawful" -- they're  
13 using that word too, unlawful --  
14 "unlawful to refuse or negligently fail  
15 to make, keep, furnish any record,  
16 report, notification, declaration, order,  
17 order form, statement, invoice,  
18 information required under this section."

19 Do you see that?

20 MS. HENN: Objection to  
21 form.

22 THE WITNESS: I see that  
23 listed here.

24 BY MR. PAPANTONIO:



[illegible]

[illegible]



[REDACTED]

21 Q. Mr. Oriente, I'm not trying  
22 to accuse you of anything you haven't  
23 done here or -- there's no accusation  
24 here. I'm simply trying to find out what

1 information was shared with you so you  
2 could do your job as a regulator at  
3 Landover. Do you understand that?

4 A. Yes.

5 Q. Okay. So let's go -- let's  
6 go to the next page. The next page is  
7 Page 3; is that right? No. Excuse me,  
8 page -- next page over, 5. It says  
9 statute and regs --

10 MS. HENN: Counsel, is there  
11 a page number you're referring to?

12 MR. PAPANTONIO: Yeah, if  
13 you look at -- on the Bates stamp,  
14 that five down there would be your  
15 page number.

16 THE WITNESS: The next one.

17 MR. PAPANTONIO: The very  
18 next page.

19 BY MR. PAPANTONIO:

20 Q. At the top of it, it says,  
21 "Statute and regs."

22 Do you see that?

23 A. Yes.

24 Q. It says, "The registrant

1 shall design and operate a system to  
2 disclose the registrant's suspicious  
3 orders of controlled substances."

4 Do you see the term  
5 "suspicious orders"?

6 A. Yes.

7 Q. Do you ever -- do you see  
8 any mention about there being a  
9 responsibility to report suspicious  
10 customers?

11 MS. HENN: Objection to  
12 form.

13 BY MR. PAPANTONIO:

14 Q. Is there anything -- is  
15 there anything in that statute right  
16 there that says you have the right not to  
17 report suspicious orders, but to report  
18 suspicious customers?

19 MS. HENN: Counsel, you're  
20 referring to the quote from the  
21 regulation there on Page 5?

22 MR. PAPANTONIO: Right.

23 BY MR. PAPANTONIO:

24 Q. Do you see anything in there

1     that says, "Oh, we don't -- McKesson  
2     doesn't have to report suspicious orders.  
3     We have the right to report suspicious  
4     customers"?

5                     Do you see anything in that  
6     wording there?

7                     MS. HENN:  Objection to  
8     form.

9                     THE WITNESS:  The statement  
10    here says suspicious orders.

11  BY MR. PAPANTONIO:

12                    Q.     Correct.  It doesn't say  
13    suspicious customers, does it?

14                    A.     Suspicious customers is not  
15    listed here, no.

16                    Q.     And that would -- so let's  
17    go to the next page.

18                    Statute and regulations.  It  
19    says, "The registrant" -- that would be  
20    McKesson, right?  You'd be a registrant  
21    with the DEA?

22                    A.     Yes.

23                    Q.     All right.  Landover would  
24    be a registrant with the DEA; is that

1 correct?

2 A. Yes.

3 Q. "The registrant shall inform  
4 the field division of the DEA in this  
5 area of suspicious orders when discovered  
6 by the registrant."

7 Do you see that?

8 MS. HENN: Objection to  
9 form.

10 BY MR. PAPANTONIO:

11 Q. The registrant shall inform  
12 the field division office of the DEA in  
13 this area of suspicious orders when  
14 discovered by the registrant."

15 Do you see that?

16 A. Yes. I see that.

17 Q. Now, this says "when  
18 discovered." Do you see those two words,  
19 "when discovered"?

20 A. Yes.

21 Q. This doesn't say you can do  
22 it three months after you find it. It  
23 doesn't say you can -- you can report the  
24 suspicious order four months after you

1 find it. This says when it's discovered,  
2 you have responsibility to tell the DEA  
3 about the fact that you're finding a  
4 suspicious order; is that correct?

5 MS. HENN: Objection to  
6 form.

7 THE WITNESS: It's  
8 underlined in this document, "when  
9 discovered."

10 BY MR. PAPANTONIO:

11 Q. All right. And it goes on  
12 to even tell you -- it even tells you  
13 what a suspicious order is supposed to  
14 look like. It says -- it says,  
15 "Suspicious orders include orders of  
16 unusual size."

17 Do you see that? Unusual  
18 size. You would agree with that. That'd  
19 be suspicious if it's an unusual size,  
20 right?

21 MS. HENN: Objection to  
22 form.

23 THE WITNESS: Yes.

24 BY MR. PAPANTONIO:

1 Q. And you'd agree it would be  
2 suspicious if it's -- if it's not a -- if  
3 it's not a normal pattern. You'd agree  
4 with that, right?

5 MS. HENN: Objection to  
6 form.

7 THE WITNESS: It says  
8 "deviating substantially from a  
9 normal pattern."

10 BY MR. PAPANTONIO:

11 Q. Right. You would agree that  
12 would be suspicious, correct?

13 A. Deviating substantially,  
14 yes.

15 Q. And you would agree that  
16 unusual frequency of an order would be  
17 suspicious, correct?

18 MS. HENN: Objection to  
19 form.

20 THE WITNESS: Yes. Orders  
21 of unusual frequency, size and  
22 pattern. Those are the three.

23 BY MR. PAPANTONIO:

24 Q. Let's go to the next page.





█ [REDACTED]  
█ [REDACTED]  
█ [REDACTED]  
█ [REDACTED]

5 Q. And when -- do you see this,  
6 sir, the word, sir, "when discovered"?  
7 Do you see those words in that statement,  
8 "when discovered"? Do you see anything  
9 in there that tells you that you're able  
10 to report a suspicious order four months  
11 after you get the suspicious order? Is  
12 there anything in that statute that says  
13 that?

14 A. The statute says "when  
15 discovered."

16 Q. So you'd agree that if you  
17 break this law, this is not -- this is a  
18 serious violation, isn't it? \$10,000  
19 fine is a pretty serious violation, isn't  
20 it?

21 MS. HENN: Objection to  
22 form.

23 THE WITNESS: I really can't  
24 say if that's a serious --

1 BY MR. PAPANTONIO:

2 Q. Well, I mean, for most  
3 people on the jury watching this,  
4 \$10,000, if they have to pay \$10,000,  
5 that's pretty serious, isn't it?

6 MS. HENN: Objection to  
7 form.

8 THE WITNESS: It's a high  
9 dollar amount, absolutely.

10 BY MR. PAPANTONIO:

11 Q. Well, yeah. Is it an -- is  
12 it an amount of money that got your  
13 attention, as far as not being willing to  
14 violate this statute? Does \$10,000 per  
15 violation get your attention?

16 MS. HENN: Objection to  
17 form.

18 THE WITNESS: That would not  
19 make my determination on, you  
20 know, getting my attention.

21 Any fine would get my  
22 attention.

23 BY MR. PAPANTONIO:

24 Q. Okay. Certainly a \$10,000

1 fine would get your attention, wouldn't  
2 it?

3 A. It would.

4 Q. And we've also -- and we've  
5 also established that, again, in defense  
6 of you, you haven't seen this document  
7 prior to today, correct?

8 A. That is correct.

9 Q. All right. The next page,  
10 it says, "2008 settlement terms."

11 Do you see that?

12 A. Yes.

13 Q. Now, it says, "In 2008  
14 McKesson entered into a settlement  
15 agreement resolving claims under 21  
16 U.S.C. 842(a)5 and C."

17 Now, did you -- did you know  
18 prior to coming here today to testify  
19 that before this document -- well, did  
20 you know that in 2008 the DEA and the DOJ  
21 caught you engaged in break -- caught  
22 McKesson engaged in breaking the law?

23 MS. HENN: Objection to  
24 form.

1 BY MR. PAPANTONIO:

2 Q. Did you know that prior to  
3 coming here today?

4 MS. HENN: Objection to  
5 form.

6 THE WITNESS: I knew in 2008  
7 that McKesson paid a settlement  
8 fine, yes.

9 BY MR. PAPANTONIO:

10 Q. And did you know that they  
11 agreed that they had broken the law?

12 MS. HENN: Objection to  
13 form.

14 BY MR. PAPANTONIO:

15 Q. That your company admitted  
16 that they knowingly broke the law dealing  
17 with narcotic drugs?

18 MS. HENN: Objection.

19 BY MR. PAPANTONIO:

20 Q. Did you know that prior to  
21 coming here today?

22 MS. HENN: Objection to  
23 form.

24 THE WITNESS: I did not know

1           that. I know they paid the fine.  
2           But I didn't know about the  
3           agreement that they broke the law.

4 BY MR. PAPANTONIO:

5           Q. Well, you were with them in  
6           2008, weren't you?

7           A. Yes.

8           Q. And so nobody gave you the  
9           details of them admitting that they broke  
10          the law --

11                   MS. HENN: Objection.

12 BY MR. PAPANTONIO:

13           Q. -- in dealing with  
14           narcotics?

15                   MS. HENN: Objection to  
16           form.

17                   THE WITNESS: I understood  
18           that a fine was paid. And that  
19           was my understanding.

20 BY MR. PAPANTONIO:

21           Q. All right. Did anybody talk  
22           to you about the things they had done  
23           wrong prior to 2008? Did anybody tell  
24           you, we did this wrong, we did that

1 wrong? Did anybody give you a list of  
2 all the things that McKesson had done to  
3 break the law and be fined in this 2008  
4 settlement?

5 MS. HENN: Objection to  
6 form.

7 THE WITNESS: I understood  
8 that it was for not reporting what  
9 was deemed suspicious orders by  
10 DEA.

11 BY MR. PAPANTONIO:

12 Q. Well, did you take the time  
13 to take a look at what they had done to  
14 where the DEA said, "You broke the law,  
15 McKesson," and then McKesson admits,  
16 "Yeah, we broke the law"? Did you take a  
17 look to see what they did to break the  
18 law?

19 MS. HENN: Objection to  
20 form.

21 THE WITNESS: Again, I was  
22 not aware that we had broken the  
23 law. I know that there was an  
24 agreement to settle and that the

1 fine was paid.

2 BY MR. PAPANTONIO:

3 Q. Well, you paid a \$13 million  
4 fine for that one thing in 2008, didn't  
5 you?

6 MS. HENN: Objection to  
7 form.

8 BY MR. PAPANTONIO:

9 Q. Did you know that?

10 MS. HENN: Objection to  
11 form.

12 BY MR. PAPANTONIO:

13 Q. \$13 million.

14 MS. HENN: Same objection.

15 THE WITNESS: I knew that  
16 the fine was paid. And I knew  
17 there was settlement and an  
18 agreement. But I did not know  
19 that there was, you know, the  
20 amount -- the amount that was  
21 paid, it was a settlement. I did  
22 not know that there was wrongdoing  
23 admitted.

24 BY MR. PAPANTONIO:

1 Q. Okay. Nobody told you that  
2 McKesson admitted that they broke the  
3 law? Prior to you coming here today,  
4 that's the first time you've heard that;  
5 is that correct?

6 MS. HENN: Objection to  
7 form.

8 THE WITNESS: I understood  
9 that we paid a settlement. That  
10 is -- and I thought there was an  
11 agreement that the settlement --

12 BY MR. PAPANTONIO:

13 Q. Well, you just --

14 MS. HENN: Counsel, could  
15 you please --

16 BY MR. PAPANTONIO:

17 Q. Go ahead go ahead.

18 MS. HENN: -- let him finish  
19 his answers. Thank you.

20 BY MR. PAPANTONIO:

21 Q. Go ahead.

22 A. The settlement would be paid  
23 and that McKesson would make changes but  
24 not that there was, you know, guilt and



1       admittance of not reporting the errors --

2               Q.       So --

3               A.       -- the way I understood it.

4               Q.       So you understood that

5       McKesson, just out of -- just paid

6       \$13 million? For what, you don't know

7       what it is, correct?

8                       MS. HENN: Objection to

9               form.

10                      THE WITNESS: No.

11       BY MR. PAPANTONIO:

12               Q.       Is that right?

13               A.       No, that is not correct.

14                      What I understood was that

15       McKesson paid a settlement fine for not

16       reporting what the DEA deemed as

17       suspicious orders.

18               Q.       Well, it was more than that,

19       wasn't it, sir? You know that it

20       involved more than just suspicious

21       orders, don't you?

22               A.       I do not know that.

23               Q.       Is that the first time

24       you've heard it?

1 MS. HENN: Objection to  
2 form.

3 THE WITNESS: You're saying  
4 that it involved more?

5 BY MR. PAPANTONIO:

6 Q. Yes.

7 A. I don't know what more  
8 you're referring to.

9 Q. Because you never took the  
10 time to look at the settlement, did you?

11 MS. HENN: Objection to  
12 form.

13 THE WITNESS: It was not my  
14 responsibility to look at the  
15 settlement.

16 BY MR. PAPANTONIO:

17 Q. Sir, it was your  
18 responsibility to be a regulator for  
19 McKesson that was selling narcotics to  
20 the American public. That was your job,  
21 wasn't it?

22 MS. HENN: Objection to  
23 form.

[REDACTED]

10 BY MR. PAPANTONIO:

11 Q. And in that responsibility,  
12 we've already, within the last half hour,  
13 established that nobody has even shown  
14 you this document that we're looking at  
15 called "In the Matter of McKesson  
16 Corporation," nobody showed that to you,  
17 right?

18 A. I have not seen this  
19 document.

[REDACTED]

[REDACTED]

10 BY MR. PAPANTONIO:

11 Q. And if you don't do that, it  
12 is unlawful, correct?

13 MS. HENN: Objection to  
14 form.

15 BY MR. PAPANTONIO:

16 Q. It's breaking the law. If  
17 you don't do what you just described, you  
18 are breaking the law of the United  
19 States, correct?

20 MS. HENN: Objection to  
21 form.

22 THE WITNESS: In order to  
23 meet the requirement, you need to  
24 do that.

1 BY MR. PAPANTONIO:

2 Q. All right. And then so you  
3 said -- I think you just mentioned that  
4 in 2008 it's your understanding that  
5 McKesson settled with the Department of  
6 Justice and agreed to do what? Do you  
7 know what they agreed to do?

8 A. From the way I understood  
9 it, McKesson would report suspicious  
10 orders on a more ongoing basis to  
11 determine if customers were purchasing in  
12 the correct amount for their size  
13 business.

14 Q. Sir, you see the second  
15 paragraph, okay. Look, you can read  
16 this. It says, "McKesson agreed to  
17 implement a program designed to detect  
18 and prevent diversion of controlled  
19 substances."

20 Do you see where it says  
21 that?

22 MS. HENN: Objection to  
23 form.

24 And, Counsel, I'd appreciate

1           it if you would treat the witness  
2           a little more respectfully.

3       BY MR. PAPANTONIO:

4           Q.     Do you see that, sir?

5           A.     Yes, the second bullet says  
6       that.

7                     MR. PAPANTONIO:   I'm trying  
8       to speak up.

9       BY MR. PAPANTONIO:

10          Q.     All right.   And can you hear  
11       me okay, Mr. Oriente?

12          A.     Yes, I can.   Thanks.

13          Q.     So McKesson agreed to  
14       implement a program designed to detect  
15       and prevent diversion of controlled  
16       substances.

17                    Now, if I got it right, you  
18       were supposed to already be doing that  
19       prior to 2008, weren't you?   Weren't  
20       you --

21                    MS. HENN:   Objection to  
22       form.

23                    MR. PAPANTONIO:   Emily,  
24       would you let me finish?

1 MS. HENN: I refer to you as  
2 counsel --

3 MR. PAPANTONIO: Oh,  
4 counsel.

5 MS. HENN: -- and I would  
6 prefer that you refer to me --

7 MR. PAPANTONIO: Okay.  
8 However you want me to --

9 MS. HENN: -- with respect,  
10 not by my first name.

11 MR. PAPANTONIO: I'm sorry.  
12 Tell me your last name.

13 MS. HENN: My last name is  
14 Henn. But counsel will be --

15 MR. PAPANTONIO: Henn. So  
16 I'll call you Ms. Henn. Is that  
17 okay?

18 MS. HENN: Yes.

19 MR. PAPANTONIO: All right,  
20 Ms. Henn.

21 BY MR. PAPANTONIO:

22 Q. So let me be clear about  
23 something. You know that you were  
24 supposed to implement a program designed

1 to detect and prevent diversion of  
2 controlled substances long before 2008,  
3 right? You know that?

4 A. We had a program prior to  
5 2008.

6 Q. This says, "McKesson agreed  
7 to implement a program designed to detect  
8 and prevent diversion of controlled  
9 substance."

10 That's what you agreed to in  
11 2008, correct?

12 MS. HENN: Objection to  
13 form.

14 THE WITNESS: It is in this  
15 document. When you say "you  
16 agreed to," it is not me, because

█ [REDACTED]  
█ [REDACTED]  
█ [REDACTED]  
█ [REDACTED] [REDACTED]  
█ [REDACTED] [REDACTED]  
█ [REDACTED]  
█ [REDACTED]  
█ [REDACTED]  
█ [REDACTED]



A horizontal bar chart illustrating the percentage of respondents for each gender across various age groups. The y-axis lists age groups from 18-24 to 65+, and the x-axis shows percentages from 0% to 100%. For each age group, there are two bars: a light blue bar for females and a light red bar for males. The data is as follows:

Age Group	Female (%)	Male (%)
18-24	15	10
25-34	20	15
35-44	30	25
45-54	45	40
55-64	55	50
65+	60	55
18-24	10	15
25-34	25	20
35-44	35	30
45-54	40	35
55-64	45	40
65+	50	45
18-24	15	10
25-34	20	15
35-44	30	25
45-54	45	40
55-64	55	50
65+	60	55
18-24	10	15
25-34	25	20
35-44	35	30
45-54	40	35
55-64	45	40
65+	50	45
18-24	15	10
25-34	20	15
35-44	30	25
45-54	45	40
55-64	55	50
65+	60	55
18-24	10	15
25-34	25	20
35-44	35	30
45-54	40	35
55-64	45	40
65+	50	45
18-24	15	10
25-34	20	15
35-44	30	25
45-54	45	40
55-64	55	50
65+	60	55
18-24	10	15
25-34	25	20
35-44	35	30
45-54	40	35
55-64	45	40
65+	50	45
18-24	15	10
25-34	20	15
35-44	30	25
45-54	45	40
55-64	55	50
65+	60	55
18-24	10	15
25-34	25	20
35-44	35	30
45-54	40	35
55-64	45	40
65+	50	45
18-24	15	10
25-34	20	15
35-44	30	25
45-54	45	40
55-64	55	50
65+	60	55
18-24	10	15
25-34	25	20
35-44	35	30
45-54	40	35
55-64	45	40
65+	50	45
18-24	15	10
25-34	20	15
35-44	30	25
45-54	45	40
55-64	55	50
65+	60	55
18-24	10	15
25-34	25	20
35-44	35	30
45-54	40	35
55-64	45	40
65+	50	45
18-24	15	10
25-34	20	15
35-44	30	25
45-54	45	40
55-64	55	50
65+	60	55
18-24	10	15
25-34	25	20
35-44	35	30
45-54	40	35
55-64	45	40
65+	50	45
18-24	15	10
25-34	20	15
35-44	30	25
45-54	45	40
55-64	55	50
65+	60	55
18-24	10	15
25-34	25	20
35-44	35	30
45-54	40	35
55-64	45	40
65+	50	45
18-24	15	10
25-34	20	15
35-44	30	25
45-54	45	40
55-64	55	50
65+	60	55
18-24	10	15
25-34	25	20
35-44	35	30
45-54	40	35
55-64	45	40
65+	50	45
18-24	15	10
25-34	20	15
35-44	30	25
45-54	45	40
55-64	55	50
65+	60	55
18-24	10	15
25-34	25	20
35-44	35	30
45-54	40	35
55-64	45	40
65+	50	45
18-24	15	10
25-34	20	15
35-44	30	25
45-54	45	40
55-64	55	50
65+	60	55
18-24	10	15
25-34	25	20
35-44	35	30
45-54	40	35
55-64	45	40</

24 BY MR. PAPANTONIO:

1           Q.     And your prior system was so  
2     bad that the DEA and the Department of  
3     Justice actually fined you \$13 million  
4     because you were not reporting suspicious  
5     orders, correct?

6                     MS. HENN:   Objection to  
7     form.

8                     THE WITNESS:   I would not  
9     say that it was a bad system.   We  
10    were fined for not reporting what  
11    DEA deemed as suspicious orders.

12   BY MR. PAPANTONIO:

13           Q.     Well, I mean, you weren't  
14    doing your job?

15                     MS. HENN:   Counsel.

16   BY MR. PAPANTONIO:

17           Q.     You were breaking the law,  
18    correct?

19                     MS. HENN:   Mr. Oriente, did  
20    you finish your last answer?

21                     THE WITNESS:   I was going to  
22    add more, that the determination  
23    of a suspicious order is when the  
24    wholesaler has an order, they look

1 at pattern of ordering, size,  
2 frequency, quantity. And then a  
3 determination, is that order  
4 suspicious or not.

5 BY MR. PAPANTONIO:

6 Q. Okay.

7 A. If we don't report that  
8 order as suspicious because we felt that  
9 that particular customer has followed  
10 that pattern of ordering previously, then  
11 that may be why that order was not  
12 reported.

13 Q. Well, we know this much.  
14 Prior to 2008, that system that you just  
15 described, it wasn't working, was it?  
16 Because the DEA and the DOJ hit you for a  
17 \$13 million fine for not reporting  
18 suspicious orders. We know that much,  
19 correct?

20 MS. HENN: Objection to  
21 form.

22 THE WITNESS: That did occur  
23 in 2008.

24 BY MR. PAPANTONIO:

Factor	Percentage of Respondents
Climate change	45%
Economic inequality	35%
Political corruption	30%
Environmental degradation	25%
Technological advancement	20%
Globalization	15%
Cultural diversity	10%
Social media	5%
Artificial intelligence	5%
Space exploration	5%

1 form.

2 THE WITNESS: Could you  
3 repeat the question?

4 BY MR. PAPANTONIO:

5 Q. Yeah, I'll be glad to.

6 Prior to coming here today -- you had --  
7 three weeks ago, you knew you were coming  
8 here today, right?

9 A. Yes.

10 Q. Did anybody from McKesson --  
11 I'm not interested in what you said to  
12 your lawyers. I'm interested in what  
13 McKesson -- did anyone at McKesson sit  
14 down with you and go over the list of  
15 things that they did to violate the 2008  
16 agreement where you were found -- your  
17 company was found to have engaged in  
18 unlawful contact -- conduct and fined  
19 \$13 million?

20 MS. HENN: Objection to  
21 form.

22 THE WITNESS: Since the  
23 three weeks back or ever?

24 BY MR. PAPANTONIO:

1           Q.       How about -- let's go with  
2       ever, Mr. Oriente. Let's go with ever.

3                   Did McKesson -- anybody from  
4       McKesson sit down with you and say,  
5       "Listen, we have an agreement. We paid  
6       our \$13 million, and as of 2008 we now  
7       have an agreement. And the agreement  
8       says that we're supposed to do A, B, and  
9       C."

10                   Has anybody shared that  
11       agreement with you?

12                   MS. HENN: Objection to  
13       form.

14                   THE WITNESS: The -- what  
15       was shared with me, was that we  
16       would be sharing suspicious orders  
17       on a more frequent basis.

18       BY MR. PAPANTONIO:

19           Q.       All right. So in other  
20       words, okay, if you didn't do that, if  
21       you didn't follow that agreement, where  
22       you were fined \$13 million, you would be  
23       engaged in unlawful conduct, yes or no?

24                   MS. HENN: Objection to

1 form.

2 THE WITNESS: Since the 2008  
3 agreement, McKesson agreed to  
4 report suspicious orders on a more  
5 regular basis.

6 BY MR. PAPANTONIO:

7 Q. And if you didn't do that,  
8 you would be engaged in unlawful conduct,  
9 correct?

10 MS. HENN: Objection to  
11 form.

12 THE WITNESS: That would be  
13 correct.

14 BY MR. PAPANTONIO:

15 Q. You would be breaking the  
16 law, just breaking the law; is that  
17 correct?

18 MS. HENN: Objection to  
19 form.

20 BY MR. PAPANTONIO:

21 Q. Yes?

22 A. We would be out of  
23 compliance.

24 Q. You would be breaking the

1 law, Mr. Oriente, yes or no?

2 MS. HENN: Objection to  
3 form.

4 THE WITNESS: As the way  
5 it's written, yes.

6 BY MR. PAPANTONIO:

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

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█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]



Icon	Text Label	Bar Length (approx. %)
■	■	85
■		80
■		95
■		70
■	■	45
■	■	82
■		75
■	■	45
■	■	87
■		95
■		20
■	■	87
■		20
■	■	89
■		40
■	■	80
■		80
■		87
■		89
■		92
■		55
■	■	95
■		95
■	■	50

[REDACTED]

9                                   And, sir, you would agree  
10       that the reason that you report this kind  
11       of information to the DEA of suspicious  
12       orders is because they have -- you have  
13       to be part of the policing in the -- in  
14       the sale of narcotics. That's what a  
15       distributor is. You have to be part of  
16       the policing to keep narcotics running --  
17       you know, running in a way they are  
18       supposed to run, correct?

19                               MS. HENN: Objection to  
20                               form.

21                               THE WITNESS: We are  
22                               responsible as a distributor to  
23                               have a program in place that would  
24                               monitor controlled substance

1 sales.

2 BY MR. PAPANTONIO:

3 Q. In fact, you were actually  
4 part of the policing of the drug sales,  
5 correct? Your organization, McKesson, or  
6 any distributor is part of that policing  
7 process, aren't you?

8 MS. HENN: Objection to  
9 form.

10 THE WITNESS: Part of our  
11 requirement as a distributor and  
12 registrant is to have a monitoring  
13 program in place, yes.

14 BY MR. PAPANTONIO:

15 Q. And certainly, on July 15th,  
16 2011, you were aware that there was also  
17 a drug crisis that was taking place, an  
18 opioid drug crisis taking place in  
19 America. You knew that, didn't you?

20 A. I knew that there was high  
21 opioid problem, yes.

22 Q. And you were supposed to  
23 report this information because you  
24 wanted to make sure there was no criminal

1 use of drugs, correct?

2 MS. HENN: Objection to  
3 form.

■

■

■

7 BY MR. PAPANTONIO:

8 Q. No, no particular case. As  
9 a broad statement, the reasons that you  
10 were supposed to report suspicious orders  
11 is because one thing you wanted to try to  
12 prevent was the criminal use of drugs,  
13 correct?

14 A. If -- if we deemed an order  
15 suspicious and -- and we would report it  
16 to prevent diversion.

17 Q. And that is criminal use of  
18 drugs, correct? That's one diversion is  
19 criminal use of drugs?

20 A. For nonmedical purpose, yes.

21 Q. And you clearly knew in 2011  
22 that there was already, as you said, you  
23 already understood there was an opioid  
24 drug crisis in America, correct?

1 MS. HENN: Objection to  
2 form.

3 BY MR. PAPANTONIO:

4 Q. You knew that?

5 A. Yes.

6 Q. And you knew that there was  
7 actually -- that there was occurrences  
8 that were even characterized as the oxy  
9 express. Have you ever heard of the oxy  
10 express?

11 MS. HENN: Objection to  
12 form.

13 THE WITNESS: I have heard  
14 of the oxy express. I believe  
15 that was a problem in Florida  
16 coming up the east coast.

17 BY MR. PAPANTONIO:

18 Q. Well, as a matter of fact,  
19 it came up right into the area that you  
20 were part of a distributor, right in your  
21 part of the country. The oxy express  
22 came right up to where you were a  
23 distributor. So where -- excuse me,  
24 where you were a regulator for the

1 distribution of McKesson narcotics. You  
2 knew that, right?

3 MS. HENN: Objection to  
4 form.

5 BY MR. PAPANTONIO:

6 Q. I'm going to -- let me  
7 repeat the question, because I want to be  
8 clear about this.

9 You knew in 2011 that the  
10 oxy express ran right through the very  
11 territory where you were working as a  
12 regulator for the sale in regard to the  
13 sale of narcotic drugs for McKesson. You  
14 knew that, didn't you?

15 MS. HENN: Objection to  
16 form.

17 THE WITNESS: I didn't know  
18 that it was specifically at any  
19 one pharmacy. I knew that it was  
20 along the east coast.

21 BY MR. PAPANTONIO:

22 Q. You didn't know where it  
23 ended?

24 MS. HENN: Objection to

1 form.

2 THE WITNESS: From my  
3 understanding it went all the way  
4 up to Boston.

5 BY MR. PAPANTONIO:

6 Q. And you -- so it covered the  
7 very territory -- some of the very  
8 territory you worked, the oxy express?

9 MS. HENN: Objection to  
10 form.

11 BY MR. PAPANTONIO:

12 Q. Right?

13 A. The oxycodone problem was  
14 along the entire east coast.

15 Q. And the only way the oxy  
16 express could work is there was a glut of  
17 opioids out there -- for the oxy express  
18 to work, there had to be extra drugs out  
19 on the market, correct?

20 MS. HENN: Objection to  
21 form.

22 BY MR. PAPANTONIO:

23 Q. Have you ever heard that,  
24 that the oxy express could not operate

1 unless there was a glut of opioids out in  
2 the market?

3                   A.       I have not heard that  
4    before, no.

20 Q. And you, sir, were working  
21 as a regulator between 2008 and  
22 July 2011. That was your job as a  
23 regulator, right?

24 MS. HENN: Objection to



1 form.

2 THE WITNESS: Yes, that was  
3 part of my job.

4 BY MR. PAPANTONIO:

A horizontal bar chart with 20 rows. Each row features a small gray square on the left, followed by a gap, then another small gray square, and then a long gray bar. The bars vary in length and position, creating a fragmented, abstract pattern.

[REDACTED]

16 Q. Your company was fined  
17 \$13 million for breaking the law in 2008,  
18 right? And then your company, McKesson,  
19 agreed to say, oh, we're going to do  
20 better. Isn't that what you told me a  
21 few minutes ago? We're going to do  
22 better?

23 MS. HENN: Objection to  
24 form.



1	2	3
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82	83	84
85	86	87
88	89	90
91	92	93
94	95	96
97	98	99
100	101	102

[REDACTED]

13 Q. Okay. Where is it -- you  
14 tell me anywhere, in everything that  
15 we've just reviewed so far, that it says  
16 that you can monitor and not report a  
17 suspicious order?

18 MS. HENN: Objection.

19 BY MR. PAPANTONIO:

20 Q. You tell me where I'm  
21 supposed to find that law. I'll go to it  
22 right now. We'll talk about it. Where  
23 is the law that says all you have to do  
24 is monitor and not report suspicious

1 orders?

2 MS. HENN: Objection to  
3 form.

4 THE WITNESS: We have to --  
5 we have to report suspicious  
6 orders if identified as  
7 suspicious.

8 BY MR. PAPANTONIO:

[illegible]

[illegible]

[illegible]



[illegible]

A horizontal bar chart consisting of 20 rows. Each row features a small gray square on the left side, followed by a larger gray bar. The bars vary in their starting and ending positions relative to the chart's width. The first bar starts at the left edge and ends at approximately 40% width. The second bar starts at approximately 25% width and ends at approximately 90% width. The third bar starts at the left edge and ends at approximately 80% width. The fourth bar starts at the left edge and extends to the right edge. The fifth bar starts at the left edge and ends at approximately 85% width. The sixth bar starts at the left edge and ends at approximately 90% width. The seventh bar starts at the left edge and ends at approximately 25% width. The eighth bar starts at approximately 35% width and ends at approximately 55% width. The ninth bar starts at approximately 60% width and ends at approximately 85% width. The tenth bar starts at approximately 25% width and ends at approximately 35% width. The eleventh bar starts at the left edge and ends at approximately 45% width. The twelfth bar starts at approximately 25% width and ends at the right edge. The thirteenth bar starts at approximately 35% width and ends at approximately 55% width. The fourteenth bar starts at approximately 60% width and ends at approximately 85% width. The fifteenth bar starts at approximately 25% width and ends at approximately 35% width. The sixteenth bar starts at approximately 35% width and ends at approximately 60% width. The seventeenth bar starts at approximately 65% width and ends at the right edge. The eighteenth bar starts at the left edge and ends at approximately 45% width. The nineteenth bar starts at approximately 25% width and ends at approximately 35% width. The twentieth bar starts at approximately 35% width and ends at approximately 45% width. The twenty-first bar starts at approximately 50% width and ends at approximately 85% width. The twenty-second bar starts at the left edge and ends at approximately 75% width. The twenty-third bar starts at the left edge and ends at the right edge. The twenty-four bar starts at the left edge and ends at approximately 95% width. The twenty-fifth bar starts at the left edge and ends at approximately 85% width. The twenty-six bar starts at the left edge and ends at approximately 90% width. The twenty-seventh bar starts at the left edge and ends at approximately 95% width. The twenty-eighth bar starts at the left edge and ends at approximately 85% width. The twenty-ninth bar starts at the left edge and ends at approximately 90% width. The thirtieth bar starts at the left edge and ends at approximately 25% width.

The image displays a vertical bar chart with 20 rows. Each row features a vertical dashed line on the left side. To the right of this line, there are horizontal bars of varying lengths and positions. The bars are arranged in a way that suggests a sequence or progression across the rows. The bars are colored in a light gray shade. The overall layout is clean and minimalist, with a white background.

[illegible]

24 BY MR. PAPANTONIO:

1           Q.       Do you have any independent  
2       knowledge, sir, about the DEA taking it  
3       on themselves to phony -- phony up  
4       information and lie about what we're  
5       reporting right here?

6 MS. HENN: Objection to  
7 form.

8 THE WITNESS: No, I would  
9 not believe that.

10 BY MR. PAPANTONIO:

Age Group	Percentage
18-24	10%
25-34	15%
35-44	20%
45-54	25%
55-64	30%
65-74	35%
75-84	40%
85+	45%

20 Q. All right. That's good.

21 MS. HENN: Counsel, there  
22 have been additional beeps.

23           You've heard them. Can we ask  
24           anyone on the phone who's not yet



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5                   Now, first of all, tell the  
6 jury what is -- at this point, they've  
7 probably heard this already, but tell  
8 them what a CSMP is?

9                   A.     CSMP is an acronym for  
10 controlled substance monitoring program.

11                  Q.     And that was your  
12 responsibility to run a controlled  
13 substance monitoring program at McKesson,  
14 right?

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[illegible]

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[REDACTED]

A horizontal bar chart titled 'Percentage of respondents who believe that the government should take action to reduce greenhouse gas emissions'. The chart is broken down by age group (18-29, 30-49, 50-69, 70+) and gender (Male, Female). The y-axis lists the age groups and genders, and the x-axis shows the percentage from 0 to 100. The bars are colored in shades of gray. The data is as follows:

Age Group	Gender	Percentage
18-29	Male	85
	Female	75
30-49	Male	70
	Female	65
50-69	Male	60
	Female	55
70+	Male	50
	Female	45

[illegible]

[illegible]

[illegible]

A horizontal bar chart with 20 rows. Each row consists of a small square marker on the left and a corresponding horizontal bar. The bars vary in length and position, representing different percentages. The bars are gray, and the background is white. The chart is enclosed in a black rectangular frame.

Category	Percentage
1	95%
2	25%
3	85%
4	80%
5	90%
6	75%
7	85%
8	95%
9	75%
10	55%
11	55%
12	25%
13	45%
14	85%
15	55%
16	95%
17	85%
18	90%
19	95%
20	75%
21	85%
22	85%
23	95%
24	75%
25	75%
26	45%
27	85%

[illegible]



[illegible]

[illegible]

Category	Percentage
1	85
2	75
3	45
4	55
5	90
6	80
7	80
8	80
9	95
10	75
11	95
12	90
13	70
14	45
15	10
16	95
17	85
18	95
19	90
20	85
21	15
22	80
23	40
24	10
25	85
26	95
27	45
28	10
29	85
30	90
31	80

[illegible]

A horizontal bar chart consisting of 20 rows. Each row features a small gray square on the left side, followed by a gray bar. The bars vary in their starting and ending horizontal positions, creating a staggered, stepped appearance across the rows. The bars are arranged in a way that suggests a sequence or flow, with some bars starting at different horizontal positions, creating a staggered effect.

22 Q. Right. As a matter of fact,  
23 sir, you actually had salespeople on the  
24 ground working in different areas of the

1 country that lived right in the very city  
2 where there were pill mills, right? You  
3 had McKesson employees -- if a city had a  
4 pill mill, they lived right in that city,  
5 didn't they?

6 MS. HENN: Objection to  
7 form.

8 THE WITNESS: I'm unaware of  
9 where McKesson employees live.  
10 I -- you know, we have people that  
11 live all over the country.

12 BY MR. PAPANTONIO:

13 Q. Right.

14 A. So specifically to where  
15 they live, I do not know.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A horizontal bar chart consisting of 20 rows. Each row begins with a small, solid gray square marker. Following each marker is a horizontal gray bar of varying length and vertical position. The bars are distributed across the rows, with some starting at the left edge and others being indented. The overall pattern suggests a sequence of events or steps over time, with the markers likely representing specific points of interest or data points.

20 MS. HENN: Counsel, we've  
21 been going over an hour. I've  
22 been waiting for a break. But I  
23 haven't really come to a natural  
24 one. I'd like to take a

1           ten-minute break.

2 MR. PAPANTONIO: Sure.

3 MS. HENN: Thank you.

4 THE VIDEOGRAPHER: Off the  
5 record, right? All right. Stand  
6 by, please. The time is  
7 10:20 a.m. Going off the record.  
8 (Short break.)

9 THE VIDEOGRAPHER: We are  
10 back on the record. The time is  
11 10:32 a.m.

12 BY MR. PAPANTONIO:

The diagram consists of 12 horizontal bars arranged vertically. Each bar is gray and has a different starting and ending point relative to a vertical line on the left. The bars vary in length and position, creating a staggered effect. The first bar is the longest and starts at the vertical line. The second bar is shorter and starts further to the right. The third bar is the longest again, starting at the vertical line. The fourth bar is the shortest and starts furthest to the right. The fifth bar is medium length and starts at the vertical line. The sixth bar is the longest and starts at the vertical line. The seventh bar is medium length and starts at the vertical line. The eighth bar is the longest and starts at the vertical line. The ninth bar is the shortest and starts furthest to the right. The tenth bar is medium length and starts at the vertical line. The eleventh bar is medium length and starts at the vertical line. The twelfth bar is the longest and starts at the vertical line.



[illegible]

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■	[REDACTED]		
■	[REDACTED]		
■	■	[REDACTED]	
■		[REDACTED]	[REDACTED]
■	[REDACTED]		
■	[REDACTED]		
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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

13 Q. Where is it that you get the  
14 right to report a customer? Where does  
15 that come from? There's nothing in the  
16 statute that says all you have to do is  
17 report a customer. If it's there, please  
18 show it to me.

19 MS. HENN: Objection to  
20 form.

21 BY MR. PAPANTONIO:

22 Q. Please show me in the U.S.  
23 21 statute anywhere where it says, "Hey,  
24 all you have to do is report a suspicious

1 customer. You don't have to report  
2 suspicious orders." How about showing  
3 that to me, so we can proceed with that.

4 MS. HENN: Objection to  
5 form.

6 THE WITNESS: I don't see it  
7 in the document anywhere.

8 BY MR. PAPANTONIO:

9 Q. It's not there?

10 A. So it's not there.

11 Q. Yeah, it's not there. You  
12 just made that up just now, didn't you?

13 A. No, I didn't make it up. We  
14 reported a suspicious customer to DEA.

15 Q. But you did not report  
16 suspicious orders to the DEA; is that  
17 correct?

18 MS. HENN: Objection to  
19 form.

20 BY MR. PAPANTONIO:

21 Q. Right? You did not?

22 A. Not specific orders.

23 Q. And you understand that the  
24 DEA was not -- the DEA was investigating

1 [REDACTED] [REDACTED]  
2 understand that, right? This thing that  
3 we're covering right now is where the DEA  
4 was trying to determine whether or not  
5 your company engaged in unlawful conduct  
6 by selling narcotics in the United  
7 States. Yes or no, do you know that?

8 MS. HENN: Objection to  
9 form.

10 THE WITNESS: When the DEA  
11 asked for the list of top 20  
12 customers and asked for specific  
13 records on certain pharmacies, I  
14 was not aware that we were being  
15 investigated, no.

16 BY MR. PAPANTONIO:

[REDACTED] [REDACTED] [REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]



The diagram consists of 25 horizontal bars of varying lengths and positions, arranged in a sequence from top to bottom. The bars are colored in a light gray color. The sequence of bars is as follows:

- Bar 1: Starts at the left edge, ends at approximately 85% width.
- Bar 2: Starts at the left edge, ends at approximately 88% width.
- Bar 3: Starts at the left edge, ends at approximately 90% width.
- Bar 4: Starts at the left edge, ends at approximately 82% width.
- Bar 5: Starts at the left edge, ends at approximately 75% width.
- Bar 6: Starts at approximately 35% width, ends at approximately 92% width.
- Bar 7: Starts at the left edge, ends at approximately 90% width.
- Bar 8: Starts at the left edge, ends at approximately 90% width.
- Bar 9: Starts at the left edge, ends at approximately 90% width.
- Bar 10: Starts at the left edge, ends at approximately 95% width.
- Bar 11: Starts at the left edge, ends at approximately 90% width.
- Bar 12: Starts at the left edge, ends at approximately 48% width.
- Bar 13: Starts at approximately 25% width, ends at approximately 95% width.
- Bar 14: Starts at the left edge, ends at approximately 25% width.
- Bar 15: Starts at approximately 37% width, ends at approximately 88% width.
- Bar 16: Starts at the left edge, ends at approximately 33% width.
- Bar 17: Starts at approximately 37% width, ends at approximately 92% width.
- Bar 18: Starts at the left edge, ends at approximately 50% width.
- Bar 19: Starts at approximately 54% width, ends at approximately 95% width.
- Bar 20: Starts at the left edge, ends at approximately 73% width.
- Bar 21: Starts at approximately 37% width, ends at approximately 92% width.
- Bar 22: Starts at the left edge, ends at approximately 98% width.
- Bar 23: Starts at the left edge, ends at approximately 92% width.
- Bar 24: Starts at approximately 37% width, ends at approximately 56% width.
- Bar 25: Starts at approximately 60% width, ends at approximately 85% width.
- Bar 26: Starts at approximately 25% width, ends at approximately 35% width.



[illegible]

[illegible]



Row	Bar Start (approx. %)	Bar End (approx. %)
1	0	90
2	0	75
3	0	100
4	0	72
5	35	56
6	60	85
7	25	35
8	0	48
9	25	29
10	37	50
11	25	91
12	0	93
13	0	77
14	25	29
15	37	50
16	25	95
17	0	60
18	25	29
19	37	91
20	0	79
21	0	87
22	0	91
23	0	85
24	0	93
25	0	48

A horizontal bar chart with 15 rows. Each row consists of a small gray square on the left and a gray bar of varying length and position to its right. The bars represent different data points or categories.

Row	Bar Position (Start, End)
1	(0, 100)
2	(0, 100)
3	(35, 100)
4	(0, 100)
5	(0, 95)
6	(0, 90)
7	(0, 35)
8	(25, 95)
9	(0, 35), (35, 100)
10	(0, 100)
11	(0, 65), (68, 95)
12	(0, 35), (35, 45)
13	(0, 35), (35, 55), (65, 90)
14	(0, 35)

15 BY MR. PAPANTONIO:

16 Q. Let's go to the next page.

17                   The next page is -- it is --  
18    we are on 13.  It says on January 13th --  
19    on January 13 --

20 MS. HENN: Counsel can we  
21 pause for a second until the  
22 disruption is over.

23 (Brief interruption.)

24 BY MR. PAPANTONIO:



A horizontal bar chart with 25 rows. Each row features a small gray square on the left and a gray bar of varying length and position to its right. The bars are distributed across the width of the chart, with some spanning the entire width and others being very short or positioned in the middle.

[illegible]



A horizontal bar chart consisting of 20 rows. Each row features a small, solid gray square marker on the left side, aligned with the start of a horizontal gray bar. The bars vary in their starting and ending horizontal positions relative to the chart's boundaries. The distribution is as follows:

- Row 1: Bar starts at the left edge, ends at approximately 25% width.
- Row 2: Bar starts at approximately 35% width, ends at approximately 65% width.
- Row 3: Bar starts at approximately 15% width, ends at approximately 95% width.
- Row 4: Bar starts at approximately 20% width, ends at approximately 55% width.
- Row 5: Bar starts at the left edge, ends at approximately 45% width.
- Row 6: Bar starts at approximately 25% width, ends at the right edge (100% width).
- Row 7: Bar starts at the left edge, ends at approximately 90% width.
- Row 8: Bar starts at the left edge, ends at approximately 88% width.
- Row 9: Bar starts at the left edge, ends at approximately 95% width.
- Row 10: Bar starts at the left edge, ends at approximately 85% width.
- Row 11: Bar starts at approximately 35% width, ends at approximately 55% width.
- Row 12: Bar starts at approximately 60% width, ends at approximately 85% width.
- Row 13: Bar starts at approximately 20% width, ends at approximately 30% width.
- Row 14: Bar starts at approximately 35% width, ends at approximately 60% width.
- Row 15: Bar starts at approximately 65% width, ends at approximately 85% width.
- Row 16: Bar starts at approximately 20% width, ends at approximately 95% width.
- Row 17: Bar starts at approximately 20% width, ends at the right edge (100% width).
- Row 18: Bar starts at approximately 20% width, ends at approximately 45% width.
- Row 19: Bar starts at the left edge, ends at approximately 45% width.
- Row 20: Bar starts at approximately 20% width, ends at approximately 30% width.

[illegible]

[illegible]

■	[REDACTED]		
■		■	[REDACTED]
■		■	[REDACTED]
■	[REDACTED]		
■		■	[REDACTED]
■	[REDACTED]		
■		■	[REDACTED]
■	[REDACTED]		
■	[REDACTED]		
■	[REDACTED]	[REDACTED]	
■	[REDACTED]		
■		[REDACTED]	[REDACTED]
■		[REDACTED]	
■		[REDACTED]	[REDACTED]
■		[REDACTED]	
■		[REDACTED]	
■	[REDACTED]		
■		■	[REDACTED]
■		■	[REDACTED]
■		■	[REDACTED]
■	[REDACTED]		
■		■	[REDACTED]
■		■	[REDACTED]
■	[REDACTED]		
■		■	[REDACTED]
■		■	[REDACTED]
■	[REDACTED]		

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

12 MS. HENN: Counsel, just one  
13 thing.

14 For those on the phone,  
15 we're getting a fair amount of  
16 noise. And we would appreciate it  
17 if you could all make sure that  
18 you're on mute. Thank you.

19 BY MR. PAPANTONIO:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

22 MS. HENN: And I'm just  
23 going to note, there's a lot of  
24 talking over each other, which







[REDACTED]

21 BY MR. PAPANTONIO:

22 Q. And that break -- that is  
23 breaking the law when a suspicious order  
24 is not reported when they're discovered,

1       that break -- that's unlawful, correct?

2                       MS. HENN:  Objection to  
3                       form.

4                       THE WITNESS:  The  
5                       requirement is you report it when  
6                       discovered.

7       BY MR. PAPANTONIO:

8                       Q.       Not three months later?  Not  
9       four months later, correct?

10                      A.       Not later, yes.

[REDACTED]

24                      Q.       And that's a violation that

1 is -- that is -- actually is a violation  
2 that's unlawful where it comes to selling  
3 the kind of narcotics that you were  
4 distributing here in the United States,  
5 correct?

6 MS. HENN: Objection to  
7 form.

8 BY MR. PAPANTONIO:

9 Q. It's unlawful?

10 A. Yes.

11 Q. And you know it's unlawful  
12 as we sit here today, correct?

13 MS. HENN: Objection to  
14 form.

15 THE WITNESS: Yes.

16 BY MR. PAPANTONIO:

17 Q. And you knew it was unlawful  
18 when you were working as director of  
19 regulatory. You knew it was unlawful not  
20 to report when a suspicious order is  
21 discovered, you knew it was unlawful not  
22 to report it, right?

23 A. When it's discovered as  
24 suspicious, yes.

1 Q. And you knew that if the DEA  
2 found out that you had a pharmacy that  
3 was engaged in suspicious orders, that  
4 the DEA could close them down. You  
5 actually had that happen to you, didn't  
6 you, the DEA closing down pharmacies that  
7 you were in charge of?

8           A.       I believe that has happened.  
9       I can't recall exactly which ones they  
10      closed before we stopped shipment.

11 Q. Well, sir, you -- let me do  
12 this -- let me get this right.

13                    A.        Yeah.

14 Q. You're telling us right now  
15 you don't have any memory of the DEA  
16 closing pharmacies that you, Mr. Oriente,  
17 was involved with. Is that your  
18 testimony here today?

19 MS. HENN: Objection to  
20 form.

21 THE WITNESS: No. That is

\_\_\_\_\_

\_\_\_\_\_

☐ ☐ ☐

█ [REDACTED]

█ [REDACTED] [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

7 BY MR. PAPANTONIO:

8 Q. Sir, you're aware of -- if  
9 you take a customer off of line, a  
10 customer that's selling McKesson product,  
11 and you close that pharmacy, McKesson  
12 loses business, right?

13 MS. HENN: Objection to  
14 form.

15 THE WITNESS: Yeah.  
16 McKesson would stop doing business  
17 with that customer.

18 BY MR. PAPANTONIO:

19 Q. And if you lose business,  
20 you lose money, don't you?

21 A. That was never my  
22 determining factor.

23 Q. That's not my question.  
24 If you close a pharmacy,



1 THE WITNESS: If they deemed  
2 there was diversion going on, they  
3 would, yes.

4 BY MR. PAPANTONIO:

5 Q. And if you don't report  
6 suspicious orders, the DEA doesn't know  
7 about it, and they don't know to close  
8 down the pharmacy, right?

9 MS. HENN: Objection to  
10 form.

11 THE WITNESS: Well --

12 BY MR. PAPANTONIO:

13 Q. True?

14 A. If we don't report a  
15 suspicious order, because we haven't  
16 identified it as a suspicious order.

17 Q. Right. And if you don't  
18 report a suspicious order, DEA has no  
19 reason to go close down a pharmacy,  
20 right?

21 MS. HENN: Objection to  
22 form.

23 THE WITNESS: No, I can't  
24 speak for DEA.

1 BY MR. PAPANTONIO:

2 Q. Well, for four years we know  
3 that you didn't do that, and you know  
4 that during your four years your company  
5 was selling narcotics -- McKesson selling  
6 narcotics to pharmacies all over the  
7 country, right?

8 A. Yes --

9 MS. HENN: Objection to  
10 form.

11 THE WITNESS: -- we had  
12 customers throughout all 50  
13 states.

14 BY MR. PAPANTONIO:

15 Q. And if you reported  
16 suspicious orders, that would put the DEA  
17 on notice that there might be a problem  
18 with one of your customers, right?

19 A. That is a correct statement.

█

█

█

█

█

█

█

█

█

█

█

█

█





[illegible]

Category	Percentage
1	85%
2	90%
3	45%
4	30%
5	20%
6	35%
7	100%
8	20%
9	45%
10	100%
11	100%
12	85%
13	80%
14	75%
15	100%
16	100%
17	30%
18	20%
19	35%
20	100%
21	30%
22	20%
23	70%
24	10%

20           once the DEA got involved, our  
21           corporate offices handled those.  
22           They would -- they would have the  
23           interaction. It would have been  
24           my boss, Don Walker, who would

1           have handled that.

2       BY MR. PAPANTONIO:

3           Q.     They didn't tell you what  
4       happened, did they?

5           A.     They did not make --

6                   MS. HENN:  Objection to  
7       form.

8                   THE WITNESS:  They did not  
9       make me aware, no.

10      BY MR. PAPANTONIO:

11           Q.     They didn't even tell you  
12       what happened at the end of this  
13       investigation, did they?

14                   MS. HENN:  Objection to  
15       form.

16                   THE WITNESS:  They did not.

17      BY MR. PAPANTONIO:

18           Q.     They didn't tell you the  
19       fines.  They didn't tell you what the DEA  
20       found.  They didn't tell you anything,  
21       did they?

22           A.     I knew of the fine, but I --  
23       and I knew of the findings, but I did not  
24       know of the, you know, the guilty verdict



A horizontal bar chart consisting of 20 rows. Each row features a small gray square on the left side, followed by a gray bar of varying length. The bars are distributed across the rows in a non-uniform manner, with some rows having bars that span the entire width of the chart area and others having shorter bars at different horizontal positions.

22 Q. But you can agree that if  
23 you held suspicious orders and did not  
24 report the suspicious orders as they were

1 discovered, that is a violation -- a  
2 violation of the law, 22 times here,  
3 right?

4 MS. HENN: Objection to  
5 form.

6 THE WITNESS: In seeing  
7 this, I'm wondering who determined  
8 that they were suspicious.

9 BY MR. PAPANTONIO:

10 Q. You answer my questions.  
11 Don't ask me questions. I'm asking  
12 you --

13 A. No, that wasn't -- I didn't  
14 ask a question. I said -- I said --

15 Q. Well --

16 MS. HENN: Counsel --

17 THE WITNESS: I said I'm  
18 wondering who. It's not a  
19 question. It's a statement. I  
20 wonder who deemed them suspicious.

21 BY MR. PAPANTONIO:

22 Q. Well, do you think there's  
23 somebody working for McKesson who maybe  
24 doesn't know what a suspicious order is,

1     that told the DEA that you had 22  
2     suspicious orders after you had already  
3     discontinued doing business with this  
4     pharmacy?

5                     MS. HENN:  Objection to  
6                     form.

7     BY MR. PAPANTONIO:

8             Q.     Is there somebody who you  
9     could give me a name about, that did  
10    that, that maybe misled the DEA?

11                    MS. HENN:  Objection to  
12                    form.

13                    THE WITNESS:  No.  I don't  
14    have anyone.  I'm just trying to  
15    determine, you know, what -- what  
16    determination was made in March of  
17    2012 that those 22 were deemed  
18    suspicious.  That's all I'm  
19    asking.

20    BY MR. PAPANTONIO:

21             Q.     And the next thing that  
22    maybe you're asking is -- because I'm  
23    asking it -- is, do you believe that the  
24    DEA is lying about what they're saying in





1 going to have to ask your lawyer, because  
2 right now this is DEA report. This is  
3 their investigation.

4 A. Understood.

5 Q. This is not my  
6 investigation.

7 MS. HENN: And, Counsel, I  
8 would ask you not to instruct my  
9 witness how to respond to your  
10 questions.

11 MR. PAPANTONIO: Well, he  
12 obviously --

13 MS. HENN: He will  
14 respond --

15 MR. PAPANTONIO: He needs to  
16 ask questions --

17 MS. HENN: -- as best he  
18 can.

19 MR. PAPANTONIO: -- to  
20 somebody other than me.

21 BY MR. PAPANTONIO:

■ ■ ■ ■ ■  
■ ■ ■ ■ ■  
■ ■ ■ ■ ■

■	[REDACTED]				
■	[REDACTED]				
■		[REDACTED]			
■	■	[REDACTED]			
■	■	[REDACTED]			
■	[REDACTED]				
■	[REDACTED]		[REDACTED]		
■	[REDACTED]				
■		■	[REDACTED]		
■	■	[REDACTED]			
■	[REDACTED]				
■	[REDACTED]				
■	[REDACTED]				
■	[REDACTED]				
■		[REDACTED]			
■	■	[REDACTED]			
■	■	[REDACTED]	[REDACTED]		
■	[REDACTED]				
■	[REDACTED]				
■		[REDACTED]	[REDACTED]		
■	[REDACTED]				
■		[REDACTED]	[REDACTED]		
■	■	[REDACTED]			
■	[REDACTED]				
■		[REDACTED]	[REDACTED]		



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9 Q. Do you know of any other  
10 settlement agreement that they entered  
11 into besides 2008?

12 A. I believe there was one in  
13 2013.

14 Q. Okay. So they entered into  
15 a settlement agreement in 2013. They  
16 entered into a settlement agreement in  
17 2008. And they entered into settlement  
18 agreements because they were breaking the  
19 law, correct?

20 MS. HENN: Objection to  
21 form.

22 THE WITNESS: I don't know  
23 exactly why they settled. That  
24 was -- I was not involved with the

1 settlement.

2 BY MR. PAPANTONIO:

3 Q. But you know they were  
4 breaking the law, don't you?

5 MS. HENN: Objection to  
6 form.

7 THE WITNESS: You mentioned  
8 that earlier today in the 2008  
9 case.

10 BY MR. PAPANTONIO:

11 Q. Yeah.

12 A. As I stated earlier, I  
13 thought they had a settlement and simply  
14 paid a civil fine.

15 Q. Okay. So we had -- so far  
16 we have 2008, 2013, where they enter into  
17 a settlement with the DEA. And what they  
18 say in the settlement, we're going to get  
19 it right this time, right? We're going  
20 to do right. That's what they say,  
21 right?

22 MS. HENN: Objection to  
23 form.

24 THE WITNESS: We're going to

1 make changes, yes.

2 BY MR. PAPANTONIO:

3 Q. Okay. How many narcotics do  
4 you think McKesson sold between 2008 and  
5 2013? Do you have a swag number of how  
6 many millions of narcotic pills that  
7 McKesson put on the street in America  
8 between 2008 and 2013?

9 MS. HENN: Objection to  
10 form.

11 THE WITNESS: I don't have  
12 that total number, no.

13 BY MR. PAPANTONIO:

14 Q. Do you have any idea how  
15 many narcotic pills McKesson was selling  
16 every year?

17 A. I do not have that total  
18 number, no.

19 Q. We're going to look at it in  
20 a minute. I just want to know -- it's  
21 right here in this report. I want to  
22 know if you have any memory.

23 A. No, I never seen that  
24 number.





■

■

■

4

Q. You understand that's not my words. That's the Department of Justice, the DEA, the U.S. government.

7

A. Mm-hmm.

8

Q. And they gave you the right to sell these -- the U.S. government gives the distributor, McKesson, the right to do this if they follow the law, correct?

13

A. That is correct. That's stipulation of being a registrant.

15

Q. And right now, in America, McKesson, Amerisource, and Cardinal are the three biggest narcotic distributors in the country, correct?

19

A. Yes, that is correct.

20

Q. And so those three people were given a special right to sell narcotics to the American public, and all the government asked you to do was report when you see suspicious orders, right?



1 testify here today, no.

2 BY MR. PAPANTONIO:

3 Q. Okay. Because you knew all  
4 this before you came here, didn't you?

5           A.       No, sir.   That's not a true  
6   statement.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[illegible][illegible]

Downloaded from <http://ajph.org/> on November 10, 2014

[illegible][illegible]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Response	Percentage
Yes, the U.S. should take action to reduce greenhouse gas emissions	85%
No, the U.S. should not take action to reduce greenhouse gas emissions	15%

■ ■ ■

\_\_\_\_\_

■ ■ ■

\_\_\_\_\_



[REDACTED]

20 Q. Well, who is corporate -- is  
21 Mr. -- what's -- Hammergren, is he  
22 corporate office?

23 A. My boss would have been Don  
24 Walker.

1 Q. Well, is Mr. Hammergren, is  
2 he -- do you consider him corporate?

3 MR. PAPANTONIO: Give me the  
4 video. Are you ready for a video  
5 on this something? Give me  
6 Video 7.

7 (Document marked for  
8 identification as Exhibit  
9 MCK-Oriente-Video-7.)

10 BY MR. PAPANTONIO:

11 Q. Do you know Mr. Hammergren  
12 is?

13 A. Yes.

14 Q. Have you ever walked up and  
15 shaken his hand?

16 A. I met him one time.

17 Q. Did you watch him when he  
18 swore before the -- when he raised his  
19 right hand and swore to the congressional  
20 hearing and testified? Did you watch him  
21 testify?

22 A. I saw it on television.

23 MR. PAPANTONIO: Okay.

24 Could you -- are you able to show

1           that video. Let me give a copy  
2           of -- give me -- the hard copies  
3           to counsel.

4       BY MR. PAPANTONIO:

5           Q. Let's watch this video. And  
6       I want to ask you whether you saw this.

7           MS. HENN: You mentioned  
8       hard copies.

9           MR. PAPANTONIO: Yeah, we  
10       got -- we got hard copies of  
11       transcripts.

12          MR. PAPANTONIO: So go ahead  
13       and play this.

14          MS. HENN: Do you want the  
15       witness to have a hard copy?

16          MR. PAPANTONIO: No, I  
17       don't. I want him to watch this  
18       video as a guy running his company  
19       who testified in front of Congress  
20       under the threat of perjury.  
21       That's what I want. Show this  
22       video, please.

23                        (Video playback.)

24          MR. HAMMERGREN: We have a

1           role to play, Congressman,  
2           certainly. And in your example  
3           one of the most important roles we  
4           play is to make sure we find  
5           suspicious customers and  
6           suspicious orders and cut off the  
7           supply to those customers.

8                           (End of video playback.)

9       BY MR. PAPANTONIO:

10           Q.     Did you hear that testimony?

11           A.     I did hear it, yes.

12           Q.     Okay. Will you tell  
13       everybody -- tell the jury where it is  
14       that Mr. Hammergren, the CEO of your  
15       company, ever was told that it was okay  
16       to report suspicious customers instead of  
17       suspicious orders.

18                   Please tell me, if you  
19       can -- in your experience in regulatory,  
20       would you please tell me any place that  
21       you can identify that Mr. Hammergren  
22       would be led to believe that it was okay  
23       to report suspicious orders?

24                   MS. HENN: Objection to



1 form.

2 THE WITNESS: You just said  
3 two different things you said  
4 suspicious customers --

5 BY MR. PAPANTONIO:

6 Q. Suspicious customers.

7 A. -- and suspicious orders.

8 Okay. So you want to --

9 MS. HENN: Objection to  
10 form.

11 MR. PAPANTONIO: Yeah, let's  
12 play it again. I want to make  
13 sure we get this. Play it again,  
14 please.

15 (Video playback.)

16 MR. HAMMERGREN: We have a  
17 role to play, Congressman,  
18 certainly. And in your example  
19 one of the most important roles we  
20 play is to make sure we find  
21 suspicious customers and  
22 suspicious orders and cut off the  
23 supply to those customers.

24 (End of video playback.)

1 BY MR. PAPANTONIO:

2 Q. So he says that one of the  
3 most important roles you play is to  
4 report suspicious orders.

5 That's what he just said,  
6 right?

7 A. Well, he said suspicious  
8 customers and suspicious orders.

9 Q. And you know there's nothing  
10 in the -- there is -- at no time did the  
11 DEA tell you that it was okay to report  
12 suspicious customers?

13 MS. HENN: Objection.

14 BY MR. PAPANTONIO:

15 Q. You know that that's  
16 something that you made up?

17 MS. HENN: Objection to  
18 form.

19 BY MR. PAPANTONIO:

20 Q. Suspicious customers?

21 A. Suspicious customers is not  
22 in the regulation.

23 Q. Right. And you know that  
24 Mr. Hammergren raised his right hand and



1     our highest responsibility, to report  
2     suspicious orders." That's what he just  
3     said, right?

4                     MS. HENN: Objection to  
5                     form.

6                     THE WITNESS: He said  
7                     that -- was it this year 2018?  
8                     And this is referring to what  
9                     20-something.

10     BY MR. PAPANTONIO:

11                     Q.     Is something different?

12                     A.     No. What I'm saying is, in  
13     his statement -- can we play it again?

14                     Q.     Yes, sir. Before we play  
15     it, let me ask if you know this. Do you  
16     know that he raised his right hand --

17                     A.     Okay.

18                     Q.     -- and swore before Congress  
19     about what he was going to testify to?

20     Did you know that?

21                     A.     Yeah, I watched it on  
22     television at home.

23                     Q.     You watched the whole thing?

24                     A.     Right. Yeah.

1 Q. Okay. Let's watch it again  
2 here.

3 (Video playback.)

4 MR. HAMMERGREN: We have a  
5 role to play, Congressman,  
6 certainly. And in your example  
7 one of the most important roles we  
8 play is to make sure we find  
9 suspicious customers and  
10 suspicious orders and cut off the  
11 supply to those customers.

12 (End of video playback.)

13 BY MR. PAPANTONIO:

14 Q. So the most important thing  
15 is suspicious orders?

16 A. And suspicious customers and  
17 cut off the supply.

18 Q. And you're not able to tell  
19 me anywhere in the regulatory anywhere  
20 where it says, you know what, all we have  
21 to do is report suspicious customers or  
22 suspicious orders?

23 MS. HENN: Objection.

24 BY MR. PAPANTONIO:

1 Q. You're not aware of that  
2 anywhere, right?

3 MS. HENN: Objection to  
4 form.

5 THE WITNESS: It says we  
6 need to report suspicious orders.

7 BY MR. PAPANTONIO:

8 Q. Orders. Not suspicious  
9 customers, right?

10 A. That is correct.

11 Q. So he's making that up right  
12 there, isn't he?

13 MS. HENN: Objection to  
14 form.

15 THE WITNESS: I can't speak  
16 for him.

17 BY MR. PAPANTONIO:

18 Q. Well, he's misleading  
19 Congress, and he swore under oath to tell  
20 the truth, right?

21 MS. HENN: Objection to  
22 form.

23 BY MR. PAPANTONIO:

24 Q. Yes?



■	[REDACTED]		
■		[REDACTED]	[REDACTED]
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■	[REDACTED]		



[REDACTED]

16 Q. Let's go to -- and by the  
17 way, you were the number one guy in  
18 Landover for regulatory, right?

19 A. I was responsible to monitor  
20 what was being purchased. The suspicious  
21 order reporting was done from McKesson's  
22 corporate office.

23 Q. And the corporate office,  
24 was that a bunch -- were those lawyers

1 sitting around determining what ought to  
2 go to the DEA or not go to the DEA? Were  
3 those lawyers who made that  
4 determination?

5 A. I don't know that. I don't  
6 know who made the determination.

7 Q. Because I thought earlier in  
8 this -- in this discussion you told me  
9 that it was sent to the lawyers.

10 A. When a request for DEA  
11 information from a subpoena or top  
12 customers, when a request came in for  
13 information, that went to our law  
14 department.

15 If it was the suspicious  
16 orders, I'm not sure if that was Don  
17 Walker sending that in or -- or someone  
18 in our law department.

■ ■ [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]





[illegible]

[illegible]







[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16                                Sir, that's where you were  
17                                in charge. You were in charge of  
18                                regulatory at Landowner -- Landover,  
19                                right?

20                                A.        Yes, I was responsible for  
21                                Landover.

22                                Q.        That's your responsibility,  
23                                correct?

24                                A.        Mm-hmm.

1 Q. Is there anybody there -- is  
2 there anybody there in regulatory that  
3 had a higher responsibility there at  
4 Landover than you?

5 A. No.

6 Q. Okay. So we are talking to  
7 the right guy where it becomes  
8 responsibility about regulatory, aren't  
9 we?

10 A. For Landover, yes.

[REDACTED]

[illegible]

A horizontal bar chart consisting of 20 rows. Each row contains a single gray bar. The bars vary in their starting and ending horizontal positions relative to the chart's width. The distribution is as follows:

Row	Start (%)	End (%)
1	0	85
2	0	58
3	35	72
4	22	61
5	25	94
6	0	90
7	22	100
8	0	48
9	35	57
10	60	90
11	22	55
12	35	63
13	65	97
14	22	88
15	22	72
16	22	59
17	0	47
18	22	50
19	22	90
20	0	100
21	0	72
22	22	50
23	22	100
24	0	92
25	0	34
26	22	50
27	60	95
28	0	42
29	0	83

■	[REDACTED]		
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■		[REDACTED]	[REDACTED]
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■	■	[REDACTED]	[REDACTED]
■	[REDACTED]		

Category	Percentage
1	45%
2	95%
3	85%
4	40%
5	40%
6	40%
7	95%
8	25%
9	40%
10	40%
11	45%
12	10%
13	40%
14	10%
15	95%
16	95%
17	95%
18	85%
19	10%
20	40%
21	10%
22	95%
23	95%
24	90%
25	40%
26	40%
27	95%
28	95%
29	40%
30	40%

[illegible]

[illegible]



The diagram consists of 25 horizontal bars of varying lengths and positions, arranged in a sequence from top to bottom. The bars are colored in a light gray shade. The sequence of bars is as follows:

- Bar 1: A short bar starting at the left edge and ending at approximately 25% of the width.
- Bar 2: A medium bar starting at the left edge and ending at approximately 50% of the width.
- Bar 3: A short bar starting at approximately 25% of the width and ending at approximately 85% of the width.
- Bar 4: A long bar starting at the left edge and ending at approximately 95% of the width.
- Bar 5: A short bar starting at approximately 25% of the width and ending at approximately 95% of the width.
- Bar 6: A long bar starting at the left edge and ending at approximately 95% of the width.
- Bar 7: A short bar starting at the left edge and ending at approximately 25% of the width.
- Bar 8: A short bar starting at approximately 25% of the width and ending at approximately 55% of the width.
- Bar 9: A short bar starting at approximately 55% of the width and ending at approximately 75% of the width.
- Bar 10: A short bar starting at approximately 55% of the width and ending at approximately 65% of the width.
- Bar 11: A short bar starting at approximately 55% of the width and ending at approximately 95% of the width.
- Bar 12: A short bar starting at approximately 25% of the width and ending at approximately 40% of the width.
- Bar 13: A medium bar starting at the left edge and ending at approximately 50% of the width.
- Bar 14: A short bar starting at approximately 25% of the width and ending at approximately 85% of the width.
- Bar 15: A long bar starting at the left edge and ending at approximately 95% of the width.
- Bar 16: A medium bar starting at the left edge and ending at approximately 60% of the width.
- Bar 17: A short bar starting at approximately 55% of the width and ending at approximately 65% of the width.
- Bar 18: A short bar starting at approximately 55% of the width and ending at approximately 85% of the width.
- Bar 19: A short bar starting at approximately 55% of the width and ending at approximately 75% of the width.
- Bar 20: A short bar starting at approximately 55% of the width and ending at approximately 85% of the width.
- Bar 21: A medium bar starting at approximately 25% of the width and ending at approximately 65% of the width.
- Bar 22: A medium bar starting at the left edge and ending at approximately 50% of the width.
- Bar 23: A short bar starting at approximately 25% of the width and ending at approximately 40% of the width.
- Bar 24: A long bar starting at the left edge and ending at approximately 95% of the width.
- Bar 25: A long bar starting at the left edge and ending at approximately 95% of the width.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Response	Percentage
U.S. should take action	85%
U.S. should not take action	15%

[REDACTED]

8 BY MR. PAPANTONIO:

9 Q. I'm sorry. Hydrocodone. So  
10 we start off with oxycodone was the  
11 analysis. For example -- hey, I meant to  
12 ask you, is oxycodone addictive?

13 A. I'm not a doctor. But from  
14 what I've read, it is addictive.

15 Q. Yeah. And you know that the  
16 people that you're buying from are  
17 Purdue, right, Purdue Pharmacy?

18 A. Purdue is one of the  
19 manufacturers that we sold, yes.

20 Q. And you know that while you  
21 were selling this product, you were aware  
22 that Purdue had been fined multi-million  
23 dollars for lying about the addictive  
24 nature of oxycodone. You know that,



1 right?

2 MS. O'GORMAN: Object to  
3 form.

4 BY MR. PAPANTONIO:

5 Q. Did you not know that?

6 A. I knew that Purdue had  
7 lawsuits against it regarding its  
8 marketing practices.

9 Q. Right.

10 A. I don't follow that  
11 particularly closely to see, you know,  
12 whether they were found guilty and paid  
13 fines. I'm busy with my McKesson  
14 responsibilities.

15 Q. Sir, you're buying narcotic  
16 drugs from Purdue, correct? We can agree  
17 to that, as you just said. You know  
18 that --

19 A. McKesson does, yes.

20 Q. And yours --

21 A. We deal with multiple  
22 wholesale manufacturers.

23 Q. And second of all, you're  
24 aware as you are buying those narcotic

1 drugs, that Purdue had been sued for --  
2 for lying about the addictive nature of  
3 the drugs that you're distributing for  
4 them, right.

5 MS. O'GORMAN: Object to  
6 form.

7 BY MR. PAPANTONIO:

8 Q. You know that?

9 A. As I said, I was aware that  
10 they were being sued, yes.

11 Q. And you know that it had to  
12 do with the fact that they were lying to  
13 the American public about the addictive  
14 nature of their drugs that they were  
15 selling to you.

16 MS. O'GORMAN: Objection.

17 BY MR. PAPANTONIO:

18 Q. Right?

19 A. Again, I know there was  
20 legal matters against Purdue. I didn't  
21 really follow them to know whether or  
22 not, you know, they were paid fines in  
23 that case.

24 Q. Sir, you knew when you were

1 distributing their drugs as their  
2 distributor, you clearly understood that  
3 they had been fined for lying about the  
4 addictive nature of their drugs,  
5 OxyContin and oxycodone. You knew that  
6 didn't you?

7 MS. O'GORMAN: Objection to  
8 form.

9 THE WITNESS: I would say  
10 that I learned of it.

11 BY MR. PAPANTONIO:

12 Q. All right. And is it --  
13 sir, as somebody that's involved with  
14 actually regulatory matters, that's  
15 pretty important to know that the people  
16 that you're buying -- the people you're  
17 buying narcotics from are out there  
18 telling the American public, that, "Hey,  
19 this stuff just ain't that addictive."  
20 That's pretty information, isn't it?

21 A. That's important, yes.

22 Q. Yeah, and you knew that the  
23 full time that you were a distributor  
24 with this company, didn't you?



[illegible]

■	[REDACTED]		
■		■	[REDACTED]
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■		[REDACTED]

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and the role of the accounting department in ensuring the integrity of the financial statements.

2. It is essential for the company to have a clear understanding of its financial position at all times, and this requires a thorough review of the accounts and a regular reconciliation of the books.

3. The accounting department should also be responsible for monitoring the company's cash flow and ensuring that there is always enough liquidity to meet its obligations.

4. In addition, the department should be involved in the budgeting process and provide input on the financial implications of various business decisions.

5. The final part of the document outlines the specific responsibilities of the accounting staff and the measures that will be taken to ensure that they are fully trained and equipped to perform their duties.

6. It is hoped that this document will provide a clear framework for the accounting department and help to improve the overall financial management of the company.

7. The accounting department is a vital part of the organization and its success depends on the accuracy and reliability of its records.

8. By following the guidelines set out in this document, the department can ensure that it is always up to date and that the company's financial statements are a true and fair reflection of its performance.

9. The accounting department should also be proactive in identifying potential areas of risk and taking steps to mitigate them.

10. Finally, it is important to remember that the accounting department is not just a support function, but a key player in the company's success.





1       these type of problems, McKesson was?

2                       MS. HENN:   Objection to

3                       form.

4       BY MR. PAPANTONIO:

5                       Q.     Right?

6                       A.     We are responsible to have a  
7       controlled substance monitoring program  
8       in place, yes.

[REDACTED]

[REDACTED]

19 Q. Was there some big  
20 catastrophe where people were injured or  
21 anything like that that happened between  
22 2007 and 2011?

23 A. I don't believe there was.

24 Q. Was there -- was there

1 71 percent increase in population there  
2 in Maryland?

3           A.       I don't know what the  
4    population change was.

[illegible]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

19 Q. And which of those two  
20 drugs, oxycodone or hydrocodone, have the  
21 biggest impact? Which one is the  
22 stronger narcotic?

23 A. Oxycodone.

[REDACTED]

[illegible]



[illegible]



[illegible]

[illegible]

22 Q. And oxycodone was a Purdue  
23 product; is that right?

24           A.     I don't believe so.

1 Oxycodone is the generic. Purdue product  
2 is OxyContin.

3 Q. OxyContin, right. And  
4 that's -- OxyContin is the one that  
5 Purdue lied about as far as -- as far as  
6 its addictive nature, correct?

7 MS. HENN: Objection to  
8 form.

9 MS. O'GORMAN: Same  
10 objection.

11 THE WITNESS: I'm not --  
12 not -- I can't speak for what  
13 Purdue said or did.

14 BY MR. PAPANTONIO:

15 Q. Sir, you don't think you  
16 have a responsibility selling narcotics  
17 during a period of time where there is an  
18 opioid crisis going on in the United  
19 States, and you're buying from a company  
20 that has been hit for -- has been fined  
21 for lying about the qualities of their  
22 product. That's not important to you as  
23 a regulator?

24 MS. O'GORMAN: Objection.

1 THE WITNESS: No, I didn't  
2 say that. I take my job very  
3 seriously. I take my  
4 responsibility very seriously.

5 I said that I could not  
6 speak for what Purdue did or  
7 didn't do or said or didn't say.

8 Obviously if any controlled  
9 substance has an addictive policy,  
10 DEA schedules them two through  
11 five, the lower the number the  
12 more addictive.

13 So whether it's a Schedule  
14 II drug through a Schedule V drug,  
15 they all have benefits when used  
16 appropriately, and they all have,  
17 you know, problems where they can  
18 be abused.

19 So I knew that a Schedule II  
20 drug obviously has a potential for  
21 more abuse than a Schedule V drug.

22 So yes, I was aware of the  
23 potential, if not taken, you know,  
24 for medical purposes, that they

1                   could be abused.

2       BY MR. PAPANTONIO:

3                   Q.       In other words, you wouldn't  
4       go out and buy narcotics from Pablo  
5       Escobar without understanding Pablo  
6       Escobar and the cartel is selling you,  
7       right? You want to know what they are  
8       selling you, true?

9                   MS. HENN: Objection to  
10                  form.

11                  THE WITNESS: Sir, I  
12                  won't -- I won't speculate on  
13                  that.

14       BY MR. PAPANTONIO:

15                  Q.       Yeah. Well, if you've got a  
16       company that's manufacturing a product  
17       and they're lying about how addictive the  
18       product is, that's a problem you want to  
19       know about, right?

20                  MS. HENN: Objection to  
21                  form.

22       BY MR. PAPANTONIO:

23                  Q.       Because you're selling a lot  
24       of drugs.



[REDACTED]

12 Q. Right. And as you're  
13 selling that -- as you're selling that  
14 product, your sales are going up, right?  
15 As they are selling more drugs, your  
16 sales are going up, correct?

17 A. Sales would have increased.  
18 But as I said, I don't get involved with  
19 the dollars and cents. I'm looking at  
20 their overall Rx business and then the  
21 amount of controls to non-controls that  
22 they are doing. I did not look at  
23 dollars. I looked at dosages.

24 Q. Okay. But you're on

1     incentive -- you had an incentive program  
2     that salespeople were actually making  
3     more money if they sell more drugs,  
4     right?

5                     MS. HENN:  Objection to  
6     form.

7                     THE WITNESS:  When you said  
8     "you," I am not on an incentive  
9     program.

10                    The salespeople are  
11     compensated on total sales of a  
12     pharmacy, not just the controlled  
13     substances.

14    BY MR. PAPANTONIO:

15                    Q.     If they say more product,  
16     they make more money, yes or no,  
17     salespeople?

18                    A.     Salespeople are on  
19     commission, yes.

20                    Q.     And if you were CEO, the  
21     fellow we saw raise his right hand and  
22     testify in front of Congress, if he has  
23     the company selling more drugs, he's  
24     making more money, right?





[illegible]

[illegible]

The diagram consists of 25 horizontal bars of varying lengths and positions, arranged in a sequence from top to bottom. The bars are colored in a light gray color. The sequence of bars is as follows:

- Bar 1: Starts at the left edge, ends at approximately 20% width.
- Bar 2: Starts at approximately 35% width, ends at approximately 70% width.
- Bar 3: Starts at approximately 35% width, ends at approximately 55% width.
- Bar 4: Starts at approximately 60% width, ends at approximately 85% width.
- Bar 5: Starts at approximately 25% width, ends at approximately 35% width.
- Bar 6: Starts at approximately 35% width, ends at approximately 62% width.
- Bar 7: Starts at approximately 66% width, ends at approximately 76% width.
- Bar 8: Starts at approximately 81% width, ends at approximately 89% width.
- Bar 9: Starts at the left edge, ends at approximately 89% width.
- Bar 10: Starts at the left edge, ends at approximately 87% width.
- Bar 11: Starts at the left edge, ends at approximately 72% width.
- Bar 12: Starts at approximately 77% width, ends at approximately 81% width.
- Bar 13: Starts at approximately 25% width, ends at approximately 50% width.
- Bar 14: Starts at the left edge, ends at approximately 47% width.
- Bar 15: Starts at approximately 25% width, ends at approximately 29% width.
- Bar 16: Starts at approximately 35% width, ends at approximately 87% width.
- Bar 17: Starts at the left edge, ends at approximately 89% width.
- Bar 18: Starts at the left edge, ends at approximately 93% width.
- Bar 19: Starts at the left edge, ends at approximately 64% width.
- Bar 20: Starts at approximately 35% width, ends at approximately 55% width.
- Bar 21: Starts at approximately 60% width, ends at approximately 85% width.
- Bar 22: Starts at approximately 25% width, ends at approximately 35% width.
- Bar 23: Starts at approximately 35% width, ends at approximately 62% width.
- Bar 24: Starts at approximately 66% width, ends at approximately 76% width.
- Bar 25: Starts at approximately 81% width, ends at approximately 89% width.
- Bar 26: Starts at the left edge, ends at approximately 89% width.
- Bar 27: Starts at the left edge, ends at approximately 87% width.
- Bar 28: Starts at the left edge, ends at approximately 72% width.
- Bar 29: Starts at approximately 25% width, ends at approximately 50% width.
- Bar 30: Starts at the left edge, ends at approximately 47% width.
- Bar 31: Starts at approximately 25% width, ends at approximately 29% width.
- Bar 32: Starts at approximately 35% width, ends at approximately 87% width.
- Bar 33: Starts at the left edge, ends at approximately 89% width.
- Bar 34: Starts at the left edge, ends at approximately 81% width.

[illegible]

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A horizontal bar chart with 25 rows. Each row contains a small gray square on the left, followed by a gray bar of varying length. The bars are distributed across the width of the chart, with some starting at the left edge and others starting further to the right. The lengths of the bars vary significantly, with some being very short and others nearly spanning the entire width of the chart area.

[illegible]



[illegible]





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[illegible]

[illegible]



[illegible]

[illegible]

The diagram consists of 28 horizontal bars of varying lengths and positions, arranged in a sequence from top to bottom. The bars are colored in a light gray shade. The sequence starts with a single bar at the top, followed by another single bar. The third bar is split into two segments. The fourth bar is a single segment. The fifth bar is split into two segments. The sixth bar is a single segment. The seventh bar is split into two segments. The eighth bar is a single segment. The ninth bar is split into two segments. The tenth bar is a single segment. The eleventh bar is split into two segments. The twelfth bar is a single segment. The thirteenth bar is split into two segments. The fourteenth bar is a single segment. The fifteenth bar is split into two segments. The sixteenth bar is a single segment. The seventeenth bar is split into two segments. The eighteenth bar is a single segment. The nineteenth bar is split into two segments. The twentieth bar is a single segment. The twenty-first bar is split into two segments. The twenty-second bar is a single segment. The twenty-third bar is split into two segments. The twenty-fourth bar is a single segment. The twenty-fifth bar is split into two segments. The twenty-sixth bar is a single segment. The twenty-seventh bar is split into two segments. The twenty-eighth bar is a single segment.

[illegible]



[illegible]

[illegible]

[illegible]



■ [REDACTED] [REDACTED]

2 Q. You had a marketing program.  
3 McKesson had a marketing program, didn't  
4 they, where they actually -- they  
5 actually had marketing programs to  
6 increase the sales of these drugs, all  
7 over the country, correct?

8 MS. HENN: Objection to  
9 form.

10 THE WITNESS: I am not  
11 familiar with our marketing side  
12 of the business. I don't get  
13 involved with marketing. I was in  
14 regulatory. So I'm not familiar  
15 with what sales programs there  
16 were out there.

17 BY MR. PAPANTONIO:

18 Q. So nobody ever told you, as  
19 you were trying to do your job in  
20 regulatory and control the flow of drugs,  
21 nobody told you that, hey, we're out  
22 there actually marketing drugs. We're  
23 helping sell -- we're helping -- we're  
24 helping push more pills. Nobody ever

1 told you that, did they?

2 MS. HENN: Objection to  
3 form.

4 THE WITNESS: McKesson would  
5 be in the sales department they  
6 would be selling all products.  
7 Controlled substances, Rx, OTC.

8 But as I said, I'm not aware  
9 of specific sales programs to  
10 increase sales of controlled  
11 substances.

12 BY MR. PAPANTONIO:

13 Q. Give me --

14 MR. PAPANTONIO: What number  
15 is that? Video 1. Let's take a  
16 look at. No, wait I want -- yeah,  
17 Video Number 1. Video Number 1.  
18 Yeah, Video Number 1 if you could  
19 tee it up.

20 (Document marked for  
21 identification as Exhibit  
22 MCK-Oriente-Video-1.)

23 BY MR. PAPANTONIO:

24 Q. You say you watched the

1     entire -- did you watch the entire  
2     congressional hearing with your boss  
3     testifying in front of the congressional  
4     hearing after he'd sworn to tell the  
5     truth?

6             A.     I was not at the TV the  
7     entire time, no.

8             Q.     All right. Let's see if you  
9     were at the TV during this time. Let's  
10    play this.

11            MR. PAPANTONIO: You've got  
12            to turn it up. Start again and  
13            turn it up.

14                    (Video playback.)

15            MR. HAMMERGREN: As a  
16            distributor, we don't manufacture  
17            prescription drugs. We don't  
18            market them to doctors or  
19            patients, nor do we market any  
20            particular category of drugs such  
21            as opioids to pharmacists.

22                    Distributors respond to  
23            pharmacy orders which are based on  
24            doctors' prescriptions.

1 (End of video playback.)

2 BY MR. PAPANTONIO:

3 Q. Wow, one of y'all are lying  
4 here. He just said that they don't  
5 market drugs. Isn't that what he just  
6 said? And you just said they do, which  
7 is it?

8 MS. HENN: Objection to  
9 form, Counsel.

10 BY MR. PAPANTONIO:

11 Q. I'm just curious. Is he  
12 lying about -- when he's testifying in  
13 front of Congress, swore to tell the  
14 truth, is he telling the truth when he  
15 tells the entire congressional meeting  
16 there that McKesson doesn't market drugs?

17 Let's play it again I want  
18 to make sure we get this right.

19 MR. PAPANTONIO: Play it  
20 again, please.

21 (Video playback.)

22 MR. HAMMERGREN: As a  
23 distributor, we don't manufacture  
24 prescription drugs. We don't

1 market them to doctors or  
2 patients, nor do we market any  
3 particular category of drugs, such  
4 as opioids, to pharmacists.

5 Distributors respond to  
6 pharmacy orders which are based on  
7 doctors' prescriptions.

8 (End of video playback.)

9 BY MR. PAPANTONIO:

10 Q. Did you know that he said  
11 that in front in front of Congress?

12 A. No, I did not.

13 Q. Okay. If he said that, he's  
14 not telling the truth. He's committing  
15 perjury, isn't he?

16 MS. HENN: Objection to  
17 form.

18 THE WITNESS: I'm not going  
19 to say if he is or isn't.

20 BY MR. PAPANTONIO:

21 Q. Okay. If he's raising his  
22 right-hand and swearing to Congress that  
23 he's telling the truth, and he's lying,  
24 he's committing perjury, isn't he?

1 A. What he --

2 MS. HENN: Objection to  
3 form.

4 THE WITNESS: What I believe  
5 he's saying there is that we sell  
6 what pharmacies order.

7 BY MR. PAPANTONIO:

8 Q. No, sir. No, sir. He  
9 says --

10 MR. PAPANTONIO: Play it  
11 again. Play it again.

12 (Video playback.)

13 MR. HAMMERGREN: As a  
14 distributor, we don't manufacture  
15 prescription drugs. We don't  
16 market them to doctors or  
17 patients, nor do we market any  
18 particular category of drugs such  
19 as opioids to pharmacists.

20 Distributors respond to  
21 pharmacy orders, which are based  
22 on doctors' prescriptions.

23 (End of video playback.)

24 BY MR. PAPANTONIO:

1 Q. Wow. That's just not true,  
2 is it? What he just -- what he just said  
3 in front of Congress, the very highest  
4 man, very highest person in McKesson  
5 drugs just lied to Congress, didn't he?

6 MS. HENN: Objection to  
7 form.

8 THE WITNESS: I can't say  
9 that he did. If you want me to --  
10 and know what he's saying, then  
11 he's saying that a doctor writes a  
12 prescription. A pharmacy orders  
13 product to fill that prescription.  
14 And then we fill -- we send an  
15 order to a pharmacy after they  
16 order it.

17 MR. PAPANTONIO: All right.  
18 We'll -- we're going to explore  
19 this a little bit more after  
20 lunch. Okay. We'll take a lunch  
21 break, and we'll come back and  
22 pick up with this. Okay.

23 THE VIDEOGRAPHER: All  
24 right. Stand by, please. The

1                   time is 12:24 p.m. Off the  
2                   record.

3                                 -   -   -

4                                 (Lunch break.)

5                                 -   -   -

6                                 THE VIDEOGRAPHER: We are  
7                   back on the record. The time is  
8                   1:09 p.m.

9                                 -   -   -

10                                EXAMINATION (Cont'd.)

11                                -   -   -

12       BY MR. PAPANTONIO:

13               Q.     Sir, when we took a lunch  
14       break, we were talking about the  
15       marketing that McKesson does. And in  
16       fact, marketing, by marketing, you  
17       increase sales, correct? Isn't that the  
18       idea of marketing?

19                               MS. HENN: Objection to  
20       form.

21                               THE WITNESS: Well, I --  
22       marketing is not necessarily a  
23       correlation to increasing sales.  
24       I see it more of advertising.



1 BY MR. PAPANTONIO:

2 Q. Okay. So you were  
3 advertising narcotics?

4 MS. HENN: Objection to  
5 form.

6 THE WITNESS: Not myself.

7 BY MR. PAPANTONIO:

8 Q. But McKesson?

9 A. I don't --

10 MS. HENN: Objection to  
11 form.

12 THE WITNESS: I don't know  
13 that they were. I know they do  
14 sales so by saying marketing and  
15 sales as one, I'm not aware of  
16 them marketing controls and  
17 pushing controls.

18 If a pharmacy isn't going to  
19 be able to fill a prescription,  
20 they are not going to buy  
21 something simply to buy it and put  
22 it on their shelf.

23 BY MR. PAPANTONIO:

24 Q. Sir, let me cut right to it,

1     okay.

2                     You as a regulator, as you  
3     sit here today, had no idea that your  
4     company was out marketing narcotics. Is  
5     that a yes or a no?

6                     MS. HENN: Objection to  
7                     form.

8                     THE WITNESS: As I stated,  
9                     McKesson is selling products that  
10                    a pharmacy needs to fill  
11                    prescriptions.

12    BY MR. PAPANTONIO:

13                    Q.     Narcotics is one of them?

14                    A.     Yes.

15                    Q.     Correct?

16                    Okay. You did know that  
17     they were marketing narcotics then,  
18     correct?

19                    MS. HENN: Objection to  
20                    form.

21    BY MR. PAPANTONIO:

22                    Q.     I want to be clear on this,  
23     because I'm getting ready to go through  
24     some documents here. And I want to be

1 clear, you knew that McKesson was  
2 marketing narcotics, yes or no?

3 MS. HENN: Objection to  
4 form.

5 THE WITNESS: Yes, McKesson  
6 is selling narcotics.

7 BY MR. PAPANTONIO:

8 Q. Okay. And for example --

9 MR. PAPANTONIO: 1154, would  
10 you put up 1154.

11 BY MR. PAPANTONIO:

12 Q. You knew, sir, didn't you,  
13 that McKesson -- let me -- before I ask  
14 this question.

15 If you see upticks in  
16 sales -- for example, we went through a  
17 few of the pharmacies that you were in  
18 charge with, right? And there is a lot  
19 of factors that affect upticks in sales.  
20 You would agree with that?

21 A. Yes.

22 Q. I think you explained a few.

23 A. Yes, there are some.

24 Q. And -- and if you don't know

1     that your company is marketing, you have  
2     no way to keep up with why there are so  
3     many sales at a particular pharmacy, you  
4     kind of have to know a correlation, don't  
5     you?

6                     MS. HENN:  Objection to  
7                     form.

8                     THE WITNESS:  In the  
9                     regulatory area, we would request  
10                    information from the pharmacy that  
11                    would explain why their increase  
12                    in business.

13  BY MR. PAPANTONIO:

14                    Q.     All right.  And you knew  
15                    that -- or maybe you didn't know.  But do  
16                    you have any opinion as far as your  
17                    experience as a regulator, that marketing  
18                    increases sales?

19                    MS. HENN:  Objection to  
20                    form.

21                    THE WITNESS:  I would say  
22                    not in the case for controlled  
23                    substances, because a prescription  
24                    has to be written by a doctor in

1           order for that increase in sales  
2           to take place.

3       BY MR. PAPANTONIO:

4           Q.       When -- after your  
5       president, Mr. Hammergren, CEO, testified  
6       that your company didn't do any  
7       marketing, do you remember any e-mails  
8       flying around -- flying around at  
9       McKesson saying he just -- he just  
10      committed perjury?

11                   MS. HENN:   Objection to  
12                   form.

13      BY MR. PAPANTONIO:

14           Q.       Was there any kind of  
15      e-mails like that that were flying around  
16      the McKesson headquarters?

17                   MS. HENN:   Objection to  
18                   form.

19                   THE WITNESS:   I did not see  
20                   any e-mails pertaining to that,  
21                   no.

22      BY MR. PAPANTONIO:

23           Q.       But it wasn't true.   What he  
24      said was not true.   You agreed to that

1       already, I think?

2                       MS. HENN:   Objection to  
3                       form.

4                       THE WITNESS:   I don't know  
5                       what his definition of  
6                       marketing -- what he was referring  
7                       to on that.

8       BY MR. PAPANTONIO:

9                       Q.       Yeah.   Well, as a matter of  
10                      fact, sir, you were marketing with  
11                      Purdue.   You had --

12                      MR. PAPANTONIO:   1154.  
13                      Could you put up 1154.

14                      MS. MOORE:   It's MCK Oriente  
15                      144.

16                      MS. HENN:   Do you want 1154,  
17                      or would you like him to see 144?

18                      MR. PAPANTONIO:   1154.   The  
19                      number she is giving is just for  
20                      identification.

21                      (Document marked for  
22                      identification as Exhibit  
23                      MCK-Oriente-144.)

24       BY MR. PAPANTONIO:

1 Q. You've seen -- have you ever  
2 seen this document --

3 MS. HENN: Wait, wait.

4 Counsel, I just want to make  
5 sure we're clear. The witness has  
6 been handed a document that's  
7 labeled and marked McKesson  
8 Oriente 144. So we need to make  
9 sure that the record's clear about  
10 that. I don't know what number  
11 you're using, but that's what he  
12 has.

13 MS. O'GORMAN: Can I have a  
14 copy of that document.

15 MS. HENN: And we're --

16 MR. PAPANTONIO: So --

17 MS. HENN: And we need  
18 another copy of the document.

19 MR. PAPANTONIO: Yeah.

20 BY MR. PAPANTONIO:

[REDACTED]







■                    ■                    ■  
■                    ■  
■                    ■

4                    Q.        And apparently your CEO, the  
5                    highest man in this company, must have  
6                    been unaware of it too, because he told  
7                    Congress there was no such thing as  
8                    marketing between -- for McKesson  
9                    marketing?

10                    MS. HENN:    Objection to  
11                    form.

12                    BY MR. PAPANTONIO:

13                    Q.        That's what we -- that's  
14                    what we listened to on the video, didn't  
15                    we?

16                    MS. HENN:    Objection to  
17                    form.

18                    BY MR. PAPANTONIO:

19                    Q.        Right?

20                    A.        I don't know what he was  
21                    exactly referring to, sir.

22                    Q.        Well, you knew that you were  
23                    marketing -- do you know what Teva is?  
24                    Have you ever heard the company Teva?

1           A.       Teva Pharmaceutical, they're  
2       another manufacturer.

3           Q.       Okay. And you had -- nobody  
4       told you that --

5                   MR. PAPANTONIO: Would you  
6       put up 1317, please.

7                   MS. HENN: Could we get a  
8       copy for the witness, please?

9                   MR. PAPANTONIO: We're  
10      getting a copy right now. 1317.  
11      Carol give the identification on  
12      this.

13                  MS. MOORE: MCK Oriente 279.

14                   (Document marked for  
15      identification as Exhibit  
16      MCK-Oriente-279.)

17      BY MR. PAPANTONIO:

18                  Q.       Tell the jury what Fentanyl  
19      is.

20                  MS. HENN: Counsel, can you  
21      wait until the witness has the  
22      document, please? Thank you.

23                  MR. PAPANTONIO: Well, he  
24      doesn't have to have the document

1 in order to answer this question.

2 BY MR. PAPANTONIO:

3 Q. Tell the jury what fentanyl  
4 is.

5 MS. HENN: Do you want him  
6 to look at it?

7 MR. PAPANTONIO: I do want  
8 him to look at it. I'm not asking  
9 about the document.

10 MS. HENN: I just want to  
11 make sure he's doing one thing at  
12 a time. If you have a question or  
13 you'd like --

14 BY MR. PAPANTONIO:

15 Q. This is a clear question.  
16 Tell the jury what fentanyl is.

17 A. Fentanyl is a controlled  
18 substance used to control pain.

19 Q. And tell us about the  
20 potency of fentanyl, as you understand  
21 it?

22 A. It's highly potent and  
23 usually is administered in a patch.

24 Q. Is it -- would you agree

1     that it is the most potent narcotic on  
2     the market?

3             A.     I'm not a pharmacist, but I  
4     know it's one of the higher potency --  
5     excuse me -- potency controlled  
6     substances, yes.

7             Q.     Again, we heard that your  
8     CEO say that you don't market, McKesson

■     [REDACTED]     [REDACTED]

■     [REDACTED]

■     [REDACTED]     [REDACTED]

■     [REDACTED]     [REDACTED]

13     tell the jury what Actiq and Fentora is.

14             MS. HENN:   Objection to  
15     form.

16             THE WITNESS:   I know Actiq.  
17     Fentora I'm not 100 percent clear  
18     or familiar with that specific  
19     brand.

20             The Actiq, I believe, is  
21     like a lollypop dispenser type for  
22     fentanyl.

23     BY MR. PAPANTONIO:

24             Q.     So you've got a fentanyl

1 lollipop that you would agree is the most  
2 potent narcotic ever sold in America.

3 You would agree with that, wouldn't you?

4 A. Not necessarily, sir. I'm  
5 not a pharmacist. I can't say that it's  
6 more or less potent than another drug.

7 Q. Have you ever seen the  
8 comparison between how potent fentanyl is  
9 compared to other narcotics?

10 MS. HENN: Objection to  
11 form.

12 THE WITNESS: No. No.

13 BY MR. PAPANTONIO:

14 Q. I'll put this up in a  
15 minute. Have you ever seen that?

16 MS. HENN: Are you going to  
17 hand him --

18 MR. PAPANTONIO: I'm going  
19 to in just a second.

20 BY MR. PAPANTONIO:

21 Q. Have you ever seen that?

22 MS. HENN: What are you  
23 referring to, Counsel?

24 BY MR. PAPANTONIO:

1           Q.       I'm looking at a picture  
2       that makes a comparison between heroin  
3       and fentanyl.

4                   Have you ever seen any kind  
5       of comparisons between fentanyl and  
6       heroin? Ever seen any comparisons  
7       between fentanyl and heroin?

8           A.       Not that specific one. But  
9       yes, that fentanyl is one of the  
10      stronger, you know, drugs.

11          Q.       Okay. And so when your CEO  
12      was testifying before Congress and said  
13      we don't market, he didn't mention

█       ██  
█       ██  
█       ██  
█       ██

18      discussion that we saw on the screen, did  
19      you?

20                   MS. HENN: Objection to  
21      form.

22                   THE WITNESS: I did not hear  
23      that on -- on video, no.

24      BY MR. PAPANTONIO:

1 Q. When you -- what was your  
2 involvement with Fentora and Actiq, the  
3 fentanyl products?

4 MS. HENN: Objection to  
5 form.

6 THE WITNESS: Fentanyl is  
7 one of the base codes under --  
8 there are 82 different base codes  
9 that we monitor.

10 They were under the fentanyl  
11 base code. They would have had a  
12 monthly threshold amount. So it  
13 was one of 82 products that we --  
14 or, excuse me -- 82 base codes  
15 that we looked at on a daily  
16 basis.

17 BY MR. PAPANTONIO:

18 Q. Okay. We already heard that  
19 you were aware of the Department of  
20 Justice going after Purdue and making  
21 them pay a fine for the way they sold  
22 their product, correct?

23 MS. HENN: Objection to  
24 form.



1 BY MR. PAPANTONIO:

2 Q. We already heard that  
3 earlier, right?

4 MS. HENN: Objection to  
5 form.

6 MS. O'GORMAN: Same  
7 objection.

8 BY MR. PAPANTONIO:

9 Q. Earlier in the deposition,  
10 we talked about that.

11 Do you remember that?

12 A. Yes, I do.

13 Q. Okay. And you were aware of  
14 it, correct?

15 MS. HENN: Objection to  
16 form.

17 MS. O'GORMAN: Same  
18 objection.

19 THE WITNESS: I was aware  
20 that there was a lawsuit against  
21 Purdue for their advertising  
22 practices.

23 BY MR. PAPANTONIO:

24 Q. So you decide, even though

1       there was a lawsuit against Purdue for  
2       advertising in a way that misled the  
3       public about the addictive nature of  
4       their products, you were aware that  
5       McKesson chose to do business with them  
6       anyway, true?

7                       MS. HENN:   Objection to  
8       form.

9                       MS. O'GORMAN:   Objection to  
10      form.

11                      THE WITNESS:   McKesson did  
12      business with Purdue to sell a  
13      product that, you know, when used  
14      in the correct or medical  
15      purposes, is beneficial to  
16      fighting pain.   That, I knew.

17   BY MR. PAPANTONIO:

18               Q.       And you know enough to know  
19      that if you don't tell the truth about  
20      the qualities of your product, if you lie  
21      about the qualities of your product when  
22      consumers are buying that product, that  
23      can cause real harm.   You're aware of  
24      that, aren't you, as -- in your business

1 for this many years?

2 MS. HENN: Objection to  
3 form.

4 THE WITNESS: If -- if the  
5 person taking the product does not  
6 have all the truthful information,  
7 it could be detrimental.

8 BY MR. PAPANTONIO:

9 Q. And you know that the  
10 people, the very people that you were  
11 buying products from, which was Purdue,  
12 was not giving truthful information to  
13 doctors and to patients. You know that  
14 now, correct?

15 MS. O'GORMAN: Objection.

16 MS. HENN: Objection to  
17 form.

18 THE WITNESS: I know that  
19 now. When I learned of it, it was  
20 still ongoing.

21 BY MR. PAPANTONIO:

22 Q. When did you learn about it,  
23 sir?

24 A. I don't remember the exact

1 date, sir.

2 Q. And so now we're talking  
3 about another company, not Purdue. We're

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

7 are aware, sir, aren't you that the  
8 Department of Justice actually brought  
9 criminal charges against them for also  
10 not telling the truth about information  
11 of their product. Did you know that?

12 MS. HENN: Objection to  
13 form.

14 THE WITNESS: No, I did not.  
15 I did not know Teva had --

16 BY MR. PAPANTONIO:

17 Q. Okay. Had you ever -- let  
18 me just -- let me see if this ever -- you  
19 ever remember this knocking around the  
20 office. 13 -- excuse me, 1381.

21 MS. MOORE: MCK Oriente 322.

22 (Document marked for  
23 identification as Exhibit  
24 MCK-Oriente-322.)

1 BY MR. PAPANTONIO:

2 Q. Do you see where it says up  
3 in the left-hand corner there, sir -- I  
4 know this is not your document. Here's  
5 what I'm interested in. You had a system  
6 at McKesson where information was sent  
7 around about issues involving narcotics  
8 that involved other companies besides  
9 your own, correct?

10 MS. HENN: Objection to  
11 form.

12 THE WITNESS: I'm not  
13 familiar with this. You said  
14 there's a system.

15 BY MR. PAPANTONIO:

16 Q. Yeah. I mean, you had an --  
17 you had an entire system that kept you  
18 informed about what was happening in  
19 the -- in the drug business, right?

20 MS. HENN: Objection to  
21 form.

22 THE WITNESS: No, not to my  
23 knowledge.

24 BY MR. PAPANTONIO:

1 Q. Had you ever heard of Rx  
2 News?

3 A. That's not a McKesson  
4 system, is it?

5 Q. It's a system that you were  
6 a member of, McKesson -- Rx News. Do you  
7 know you were a member that?

8 MS. HENN: Objection to  
9 form.

10 THE WITNESS: Was I on that  
11 e-mail distribution?

12 BY MR. PAPANTONIO:

13 Q. Yeah. Did you know that? I  
14 don't want to speak for you. Do you have  
15 any memory of getting news from Rx News?

16 MS. HENN: Objection to  
17 form.

18 THE WITNESS: I don't have a  
19 recollection of getting news from  
20 Rx News.

21 BY MR. PAPANTONIO:

22 Q. And so is it your testimony  
23 that when something would happen with  
24 another company, when they've involved

1 themselves in criminal conduct, when  
2 they've been -- they've been hit by the  
3 DOJ for doing something illegal, that you  
4 had no way of knowing that? Is that your  
5 testimony?

6 MS. HENN: Objection to  
7 form.

8 THE WITNESS: I don't recall  
9 getting updates via Rx News.

10 BY MR. PAPANTONIO:

11 Q. Isn't that important  
12 information for you to know as a  
13 regulator? I mean, you're in -- you're  
14 in regulatory. You're selling narcotics  
15 all over the country. And you're buying  
16 those products from people that you don't  
17 know anything about?

18 MS. HENN: Objection to  
19 form.

20 BY MR. PAPANTONIO:

21 Q. Is that what you're telling  
22 me?

23 MS. HENN: Objection to  
24 form.

1 THE WITNESS: The decision  
2 to do business at that level would  
3 not have been my responsibility.  
4 My responsibility was to monitor  
5 what the customers purchased, not  
6 to determine if McKesson would use  
7 a wholesaler -- excuse me, a  
8 manufacturer or not.

9 BY MR. PAPANTONIO:

10 Q. Well, you don't want to do  
11 business with a manufacturer that is  
12 guilty of criminal conduct, do you?

13 MS. HENN: Objection to  
14 form.

15 BY MR. PAPANTONIO:

16 Q. Or is that okay with you?

17 A. That decision was not left  
18 up to me, sir.

19 I -- again, I would monitor  
20 what our customers purchased. But  
21 whether or not McKesson did business with  
22 a manufacturer was above my level.

23 Q. Wouldn't you want to know as  
24 a regulator, sir, that's working every



1 day to try to regulate the amount of  
2 narcotics that are being spread out all  
3 over this country, wouldn't you know --  
4 wouldn't you want to know if you're doing  
5 business with a criminal?

6 MS. HENN: Objection to  
7 form.

8 BY MR. PAPANTONIO:

9 Q. Buying products from a  
10 criminal, is that important to you?

11 MS. HENN: Same objection.

12 THE WITNESS: It's important  
13 to me. It was handled at a higher  
14 level than myself.

15 BY MR. PAPANTONIO:

16 Q. Okay. Let me ask you.  
17 You've been in regulatory how many years?

18 A. 11 years, sir.

19 Q. 11 years. And after  
20 11 years of experience, you would have to  
21 agree with me, sir, wouldn't you, that it  
22 is pretty important to know that the  
23 people that you're doing business with  
24 have been hit for criminal conduct.

1 That's pretty important information to  
2 you, isn't it?

3 MS. HENN: Objection to  
4 form.

5 THE WITNESS: The  
6 information would be good to know.  
7 The decision on whether or not to  
8 do business with that company  
9 would not be under my  
10 responsibility to continue or to  
11 cease.

12 BY MR. PAPANTONIO:

13 Q. Yeah, you -- but -- and  
14 you --

15 This is the first time that  
16 you've seen this document. The left-hand  
17 corner it says Department of Justice, and  
18 it talks about Teva has to pay  
19 \$425 million for what they call criminal  
20 information plea. Did you know that?

21 MS. HENN: Counsel, is this  
22 about Teva? I don't see anything  
23 about Teva.

24 BY MR. PAPANTONIO:

1           Q.     Sir, you know what Cephalon  
2     is. Counsel may not be. You know who  
3     Cephalon. Cephalon is Teva, isn't it?

4           A.     I do not know that for sure,  
5     sir.

6           Q.     Sir, how much information  
7     were you given day to day about all the  
8     people that you were buying drugs from  
9     and then distributing in the company,  
10    like Purdue or Teva or Cephalon? How  
11    much information were you given by people  
12    in management that said we have a  
13    relationship with somebody who has been  
14    hit and fined for criminal conduct?

15                   MS. HENN: Objection to  
16                   form.

17   BY MR. PAPANTONIO:

18           Q.     Who is it that would tell  
19    you that?

20                   MS. O'GORMAN: Objection.

21                   THE WITNESS: We -- in the  
22                   regulatory that I was responsible  
23                   for was for what our customers  
24                   were purchasing, not for the

1           actions of our -- of our  
2           manufacturers that we were buying  
3           from.

4       BY MR. PAPANTONIO:

5           Q.     Sir, so you felt like --  
6           your testimony here today is you felt  
7           like you had no responsibility to  
8           understand where all these narcotics were  
9           coming from that was being distributed  
10          through your distribution operation in  
11          Landover. Is that what you're telling  
12          me?

13                MS. HENN: Objection to  
14                form.

15                THE WITNESS: No, sir.  
16                That's not what I'm telling you.

17                What I'm saying is my  
18                responsibility was in what was  
19                being sold by McKesson to these  
20                licensed pharmacies and to watch  
21                what products they were  
22                purchasing.

23                It was not my responsibility  
24                to follow what lawsuits or actions

1                   were going against manufacturers.

2       BY MR. PAPANTONIO:

3                   Q.       The jury is going to hear,  
4       sir, about how potent fentanyl is, right.  
5       How would you describe the potency of  
6       fentanyl?

7                   A.       Again, sir, I'm not a  
8       pharmacist. So a potency of fentanyl  
9       versus other products, I don't have that  
10      scientific knowledge.

11                  Q.       You know by the time -- by  
12      the time that 2011 rolled around, you  
13      knew that on the street people were  
14      taking all three of your drugs that  
15      McKesson distributed, and they were  
16      mixing it in cocktails. You'd heard  
17      about that, correct?

18                  MS. HENN: Objection to  
19      form.

20                  THE WITNESS: That, I was  
21      aware.

22       BY MR. PAPANTONIO:

23                  Q.       You were aware of that.  
24      When did you become aware of that?

1           A.       The exact time frame, I  
2       don't know.

3           Q.       When did you become aware of  
4       the number of people who were dying every  
5       day from overdoses from narcotics, opioid  
6       narcotics?

7                   MS. HENN:   Objection to  
8       form.

9                   THE WITNESS:   That would  
10       have been early on, say 2008.

11   BY MR. PAPANTONIO:

12           Q.       You knew in 2000 though --  
13       no.   You weren't there in 2000?

14           A.       No, sir.

15           Q.       Yeah, okay.   2008 is the  
16       first time that you heard that A, there's  
17       a crisis, an opioid crisis.   You agree?

18           A.       About that, yes, sir.

19           Q.       2008 is the first time that  
20       you heard that more than 100 people were  
21       dying every day from opioid overdoses,  
22       correct?

23                   MS. HENN:   Objection to  
24       form.

1 THE WITNESS: About that  
2 time, yes.

3 BY MR. PAPANTONIO:

4 Q. And as you were hearing that  
5 information, you were watching the sales  
6 tick up higher and higher for every  
7 pharmacy that was under your control at  
8 Landover. Is that a correct statement?

9 A. No, sir, it's not.

10 MS. HENN: Objection to  
11 form.

12 THE WITNESS: It wasn't  
13 every pharmacy.

14 BY MR. PAPANTONIO:

15 Q. Well, how many pharmacies  
16 was it?

17 A. I don't have that exact  
18 amount. There were hundreds of  
19 customers, sir, so I wouldn't know  
20 exactly how many increased versus did not  
21 increase.

22 Q. Well, during the time that  
23 you had learned that people, more than --  
24 I think it's 116 people. Tell me if you

1 have a different number. That 116 people  
2 were dying. I think that number rises  
3 around 2007, as you said.

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graph TD
    Root[Introduction] --> Background[Background]
    Root --> Methodology[Methodology]
    Background --> Literature[Literature Review]
    Background --> Framework[Theoretical Framework]
    Methodology --> Design[Research Design]
    Methodology --> Collection[Data Collection]
    Design --> Qual[Qualitative Research]
    Design --> Quant[Quantitative Research]
    Collection --> Primary[Primary Data]
    Collection --> Secondary[Secondary Data]
    Primary --> Interviews[Interviews]
    Primary --> Focus[Focus Groups]
    Secondary --> Archival[Archival Records]
    Secondary --> Published[Published Literature]
  
```

24 BY MR. PAPANTONIO:



1           Q.       So let me take you back to  
2     marketing again, because marketing is,  
3     whether you agree or not -- I'm not --  
4     it's still not clear to me whether you  
5     agree that if you market a product,  
6     you're going to sell more product. At  
7     this point you have no opinion on that,  
8     right?

9                   MS. HENN: Objection to  
10    form.

11                  THE WITNESS: Again, you  
12    cannot sell something to a  
13    pharmacy if they're not going to  
14    use it to fill a prescription.

15   BY MR. PAPANTONIO:

16           Q.       Tell us what Actavis is.

17           A.       I believe it's pronounced  
18    Actavis.

19           Q.       Tell us what Actavis is.

20           A.       I'm not sure if it's another  
21    company, I believe.

22           Q.       Well, let's take a look at  
23    it.

24                   MR. PAPANTONIO: Would you

1           give us Document 113, please.

2       BY MR. PAPANTONIO:

3           Q.       Because I'm still on this  
4       topic dealing your CEO testifying in  
5       front of Congress saying that your  
6       company did not market, okay. I'm still  
7       on this topic. Stay with me here.

8           A.       I'm with you.

9           Q.       All right. Do you see this  
10      document right here?

11           MS. HENN: So the document.

12           MR. PAPANTONIO: Carol, give  
13      them the number.

14           MS. MOORE: MCK Oriente 20.

15           MS. HENN: Thank you.

16                   (Document marked for  
17      identification as Exhibit  
18      MCK-Oriente-020.)

19      BY MR. PAPANTONIO:

20           Q.       So this document, if you  
21      will look, first of all, tell me, who is  
22      John Hansen? Do you know?

23           A.       I do not know who John  
24      Hansen is.



[REDACTED]

6 Do you see that?

7 MS. HENN: Let's give the  
8 witness a chance to read it,  
9 please.

10 MR. PAPANTONIO: Sir, are  
11 you a little --

12 MS. HENN: Just let --

13 MR. PAPANTONIO: No, no.  
14 I'm going to ask questions.  
15 He's -- you're welcome to read  
16 anything you want. I'm amazed  
17 that these documents haven't been  
18 shown to this witness. So don't  
19 waste my time here. Now,  
20 here's --

21 MS. HENN: Counsel, I'd just  
22 like to again reiterate --

23 MR. PAPANTONIO: That's  
24 fine.

1 MS. HENN: -- as you agreed,  
2 that if the witness needs to read  
3 the document to answer your  
4 questions, you need to give him  
5 time to do that.

6 MR. PAPANTONIO: I'm fine  
7 with that. And I am appalled that  
8 you never -- or anybody with  
9 McKesson never showed him this  
10 document before you put him in  
11 that chair to be cross-examined.  
12 I'm appalled.

13 MS. HENN: Noted.

14 BY MR. PAPANTONIO:

15 Q. So with that, read the  
16 document. Do you see it?

■ [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED] [REDACTED]

Highly Confidential - Subject to Further Confidentiality Review

■	[REDACTED]	[REDACTED]
■	[REDACTED]	
■	[REDACTED]	
■	■	■
■	■	[REDACTED] [REDACTED]
■	[REDACTED]	[REDACTED]
■	[REDACTED]	
■	[REDACTED]	
■	[REDACTED]	
■	[REDACTED]	
■	[REDACTED]	
■	[REDACTED]	
■		[REDACTED] [REDACTED]
■	[REDACTED]	
■	[REDACTED]	
■	[REDACTED]	
■	■	[REDACTED]
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■	[REDACTED]	
■		[REDACTED]
■	[REDACTED]	
■	[REDACTED]	
■	[REDACTED]	
■	[REDACTED]	
■		[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6                   What I was involved in is  
7                   the threshold amount that a  
8                   customer could order. So with a  
9                   threshold amount remaining the  
10                  same, the customer could not get  
11                  any more product unless I made a  
12                  threshold adjustment.

13                  So, you know, they would  
14                  have had to have business increase  
15                  to justify that.

16                  The amount that a pharmacy  
17                  could purchase was not just  
18                  increased based on any marketing  
19                  that was done. We looked at  
20                  different factors than -- than the  
21                  marketing.

22       BY MR. PAPANTONIO:

23                  Q.       So why would the CEO of  
24       McKesson get up and lie to Congress about





■ [REDACTED]

2 Did I just read that right,  
3 or is there anything that you want to add  
4 to it before we move on?

5 A. You read that right. As I  
6 stated earlier, being in regulatory and  
7 looking at different factors that go into  
8 threshold setting, I'm not familiar with  
9 what they would be referring to  
10 regarding, you know, marketing and sales  
11 and things of that nature here.

12 So, again, the threshold  
13 that I was responsible for and what I  
14 would look at would not be affected by if  
15 they were doing this -- these promotions.

16 Q. In other words, promotions  
17 don't make any difference to sales of  
18 McKesson. Is that what you're telling  
19 me?

20 MS. HENN: Objection to  
21 form.

22 THE WITNESS: No, what I  
23 said was promotion -- these  
24 promotions would not have an

1 effect on a customer being able to  
2 order more product.

3 MR. PAPANTONIO: Look, I'm  
4 going to close and I'm going to  
5 let my partner take over from  
6 here, Mr. Kennedy.

7 BY MR. PAPANTONIO:

8 Q. But I want to ask you  
9 something. If you're -- if you are in  
10 the position of having to tell the DEA  
11 about suspicious orders, that's something  
12 that you take very seriously, right?

13 A. Yes, sir, I do.

14 Q. And the term "suspicious  
15 orders" is pretty clear. If an order is  
16 suspicious, you -- you need to report it,  
17 correct? We've established that.

18 MS. HENN: Objection to  
19 form.

20 THE WITNESS: That is  
21 correct.

22 MR. PAPANTONIO: Okay.  
23 Would you please show him  
24 Document 345, please.

1 MS. MOORE: MCK Oriente 62.

2 (Document marked for  
3 identification as Exhibit  
4 MCK-Oriente-062.)

5 BY MR. PAPANTONIO:

6 Q. Sir, take a minute and look  
7 at this. Do you see where it says  
8 McKesson operations manual. Have you  
9 ever seen this before?

10 A. Yes, sir.

11 Q. When have you seen it?

12 A. I wouldn't remember the  
13 exact date. It would have been when it  
14 was established and -- and sent out to  
15 us.

16 Q. So you are familiar with the  
17 document, right?

18 A. Yes.

19 Q. You're familiar -- you were  
20 familiar with the document before you  
21 came in here to testify today, correct?

22 A. I've seen this document  
23 prior. It's a few years old.

24 Q. How about -- how about



[illegible]

The diagram consists of 25 horizontal gray bars of varying lengths and positions, arranged vertically. The bars are set against a white background with a thin black border. The bars are arranged in a way that suggests a timeline or a sequence of events, with some bars starting at the left edge and others starting at various points along the horizontal axis. The bars are of different lengths, with some being very short and others being long. The bars are arranged in a way that suggests a sequence of events, with some bars starting at the left edge and others starting at various points along the horizontal axis. The bars are of different lengths, with some being very short and others being long. The bars are arranged in a way that suggests a sequence of events, with some bars starting at the left edge and others starting at various points along the horizontal axis.

[illegible]

[illegible]



■ [REDACTED]  
■ [REDACTED]  
■ [REDACTED]  
■ [REDACTED]

5 Q. Sir, we're going to have my  
6 partner Eric Kennedy talk to you about  
7 what you did and didn't do. Give us a  
8 minute. We're going to change positions;  
9 okay?

10 A. All right.

11 MR. PAPANTONIO: Take a  
12 break for five minutes.

13 THE VIDEOGRAPHER: All  
14 right. Take off your microphone.

15 MR. PAPANTONIO: Yep.

16 THE VIDEOGRAPHER: The time  
17 is 1:43 p.m. Going off the  
18 record.

19 (Short break.)

20 THE VIDEOGRAPHER: We are  
21 back on the record. The time is  
22 1:49 p.m.

23 - - -

24 EXAMINATION

— — —

BY MR. KENNEDY:

Q. Mr. Oriente, my name is Eric Kennedy, I also represent the plaintiffs in this case. All right?

A. Mm-hmm.

Q. And I'm going to ask you a few questions. I'm going to try not to be repetitious of -- of what you've already answered.

All right?

A. Okay. Thank you.

Q. Let me start by asking this -- this relatively simple question.

From -- from everything that you've heard this morning, from everything that you have answered this morning, can we agree that McKesson played some role in causing the opioid crisis that we have in this country?

MS. HENN: Objection to form.

THE WITNESS: I would say  
that we did our due diligence to

1           the best of our ability with the  
2           information we had and made sure  
3           that what we were distributing to  
4           pharmacies was going towards  
5           medical purposes and that they  
6           were going towards filling  
7           prescriptions that were written by  
8           doctors.

9                       And in -- if and when we  
10           determined they weren't, we took  
11           action to not ship additional  
12           product, as demonstrated by the  
13           pharmacies that -- that I closed.

14   BY MR. KENNEDY:

15           Q.       So is the answer to my  
16           question "yes"?

17                       MS. HENN:   Objection to  
18           form.

19   BY MR. KENNEDY:

20           Q.       Is the answer to my question  
21           "yes"?

22           A.       I would say no, it isn't a  
23           yes.

24           Q.       So it's your position, just

1     when we start off, I want to understand  
2     your position from everything that we  
3     have heard, McKesson played zero role in  
4     causing the opioid crisis that we have in  
5     America today?

6                     MS. HENN:  Objection to  
7                     form.

8     BY MR. KENNEDY:

9                     Q.     Is that correct?  And that's  
10     a clear yes or no.

11                    A.     I don't believe we caused  
12     it.

13                    Q.     I didn't say that.  Did you  
14     play a role --

15                    MS. HENN:  Counsel.

16     BY MR. KENNEDY:

17                    Q.     My question is very simple.  
18     Would you agree that McKesson played a  
19     role, they didn't cause it all, but  
20     played a role in the crisis that we have  
21     in America today as it relates to  
22     prescription opioids?

23                    MS. HENN:  And, Counsel, I  
24     would just ask that you let the

1 witness finish his answers.

2 MR. KENNEDY: I'm sorry.

3 THE WITNESS: We did play a  
4 role as a distributor, yes.

5 MR. KENNEDY: That's all I'm  
6 asking.

7 MS. HENN: Are you done with  
8 your answer?

9 THE WITNESS: Yes, I am.  
10 Thank you.

11 BY MR. KENNEDY:

12 Q. Now, let me ask you -- I  
13 want to -- there may be some things that  
14 we can very easily agree upon. All  
15 right? Because I want to ask you about  
16 what McKesson knew or should have known  
17 what was going on in America as we  
18 continue to discuss what they did and  
19 didn't do. All right?

20 A. All right.

21 Q. Late '90s, early 2000s, we  
22 have an opioid crisis in the United  
23 States of America. True?

24 A. I'm not familiar that far

1 back, because I wasn't in regulatory in  
2 the late '90s.

3 Q. Well, let me ask you this,  
4 sir. You've been in the pharmacy  
5 industry since 1999, have you not?

6 A. I worked for Eckerd Drug at  
7 that time, yes.

8 Q. And they are in the pharmacy  
9 industry, are they not?

10 A. Yes.

11 Q. And then you came to  
12 McKesson in '04, correct?

13 A. That is correct.

14 Q. And into regulatory in '07,  
15 correct?

16 A. That is correct.

17 Q. You read newspapers in the  
18 2000s, did you not?

19 A. I was not aware that there  
20 was the epidemic that existed when I  
21 moved into regulatory in '07.

22 Q. You knew that by 2001,  
23 4.8 million Americans had reported in the  
24 media and to the CDC, 4.8 million

1 admitted to abusing prescription opioids  
2 by 2001?

3 MS. HENN: Objection to  
4 form.

5 BY MR. KENNEDY:

6 Q. You didn't understand that?

7 A. It wasn't that I didn't  
8 understand that. I wasn't aware that  
9 that was the number at 2001, sir.

10 Q. By 2007, when you went into  
11 regulatory, McKesson was already  
12 admitting internally, were they not, they  
13 were already admitting internally that  
14 opioids, prescription opioids that you  
15 were selling, were killing more Americans  
16 than cocaine and heroin combined, true?

17 MS. HENN: Objection to  
18 form.

19 THE WITNESS: I don't know  
20 that McKesson was admitting that.  
21 I have -- I heard it in the  
22 newspapers and such and on the  
23 news. But I did not hear it  
24 internally with McKesson

1                   correspondence.

2                   MR. KENNEDY:   Would you give  
3                   me 5015, please.

4                   Exhibit -- McKesson exhibit,  
5                   I'm sorry, 545.

6                   MS. ROZMAN:   No, it's MCK  
7                   Oriente 545.   I'm sorry.

8                   MS. HENN:   And just for the  
9                   record, I'd note that these  
10                  documents have highlighting, is  
11                  that --

12                  MR. KENNEDY:   Yes,  
13                  highlighting is all by me and  
14                  there will be writing and it's all  
15                  by me.

16                  MS. HENN:   Thank you.

17                  (Document marked for  
18                  identification as Exhibit  
19                  MCK-Oriente-545.)

20       BY MR. KENNEDY:

21               Q.       McKesson document, sir, is  
22       McKesson up in the right-hand corner?

23               A.       Yes.

24               Q.       It looks like it's a



1 national operations conference from 2007,  
2 true? A national conference?

3 A. Yes, sir.

4 Q. And who is Don Walker?

5 A. Don Walker was the senior  
6 vice president in distribution  
7 operations.

8 Q. Did you work in operations?

9 A. I did from '04 through late  
10 '07.

11 Q. Go to Page .3, if you would.  
12 This is a McKesson document.

13 Are they telling all folks,  
14 at this national conference, "Opioid  
15 painkillers kill more than cocaine and  
16 heroin combined," on .3?

17 A. Yes, that's highlighted  
18 here.

19 Q. So McKesson knows it, and  
20 they are telling their folks internally  
21 by 2007, true?

22 A. Yes. That's noted here.

23 Q. And certainly, sir, given  
24 the fact that you work in the pharmacy

1 industry since 1999, you knew and  
2 understood that the opioid crisis in  
3 America was addicting and killing more  
4 Americans every single year, '01, '02,  
5 '04, '05, right up to the time that you  
6 moved into regulatory, sir, correct?

7 MS. HENN: Objection to  
8 form.

9 THE WITNESS: I see it here.  
10 I didn't recall it previously that  
11 that statement was made.

12 BY MR. KENNEDY:

13 Q. As someone in the industry,  
14 sir, since 1999, McKesson since '04, you  
15 did not understand that the crisis was  
16 getting worse every year?

17 MS. HENN: Objection to  
18 form.

19 THE WITNESS: I did know  
20 that the crisis was increasing. I  
21 just don't recall having seen it  
22 in a document that you're  
23 presenting here.

24 BY MR. KENNEDY:

1 Q. Let's talk about diversion.  
2 Tell us what diversion is.

3 A. Diversion would be the  
4 misuse of controlled substances for  
5 nonmedical purposes.

6 Q. A lot of diversion occurs at  
7 the pharmacy level, true?

8 A. There -- I can't say what  
9 percent occurs at the pharmacy level.  
10 There is internal diversion and theft as  
11 well as, you know, external diversion  
12 where scripts are filled for nonmedical  
13 reasons.

14 Q. And McKesson certainly knew,  
15 understood, as you did, as early as 2002  
16 that diversion, the movement of opioids,  
17 of narcotics into illegal markets was  
18 occurring in the United States, they  
19 understood that, did they not?

20 MS. HENN: Objection to  
21 form.

22 THE WITNESS: I can't speak  
23 for all of McKesson. But I would  
24 say that in that time frame, yes,

1           we were aware that there --  
2           certainly there was some diversion  
3           going on.

4       BY MR. KENNEDY:

5           Q.     It was a significant problem  
6           in America. It wasn't some going on. It  
7           was a big problem in America that was  
8           contributing to the crisis, was it not?

9           MS. HENN: Objection to  
10          form.

11          THE WITNESS: There was  
12          diversion going on, sir. I didn't  
13          measure the amount of total  
14          diversion going on.

15          MR. KENNEDY: Give me 1076  
16          please.

17          MS. ROZMAN: This is MCK  
18          Oriente 515.

19                 (Document marked for  
20                 identification as Exhibit  
21                 MCK-Oriente-515.)

22       BY MR. KENNEDY:

23           Q.     Sir, you've -- you've heard  
24           of the -- the General Accounting Office

1 of the United States government, have you  
2 not?

3 A. Yes, I've heard of the GAO.

4 Q. This is a May 2002 report,  
5 titled "Prescription Drugs: State  
6 Monitoring Programs Provide Useful Tool  
7 to Reduce Diversion." Do you see that?

8 A. Are you referring to the  
9 highlighted paragraph on Page 2?

10 Q. I'm referring to the title  
11 of it, sir.

12 A. Okay.

13 Q. That's what it's titled,  
14 "Prescription Drugs"?

15 A. Yes.

16 Q. If you look at the next page  
17 which is .6, do you see the highlighted  
18 portion? And this is 2002. "The  
19 diversion and abuse of prescription drugs  
20 are associated with incalculable costs to  
21 society in terms of addiction, overdose,  
22 death, and related criminal activities."  
23 Did I read that right? Sir?

24 A. Yes.

1           Q.       And it continues, "DEA has  
2       stated that the diversion and abuse of  
3       legitimately produced controlled  
4       pharmaceuticals constitutes a  
5       multibillion-dollar illicit market  
6       nationwide." Do you see that?

7           A.       Yes.

8           Q.       And if your company McKesson  
9       is the largest distributor of these  
10      narcotics in the country, they certainly  
11      should know about what's going on with  
12      diversion of the drugs that they are  
13      selling to pharmacies, can we agree with  
14      that?

15                   MS. HENN: Objection to  
16                   form.

17      BY MR. KENNEDY:

18           Q.       Can we agree with that, sir?

19                   MS. HENN: Objection to  
20                   form.

21                   THE WITNESS: Yes, they...

22      BY MR. KENNEDY:

23           Q.       They should know that?

24           A.       They should know about the

1 diversion. This document was from I  
2 believe '02.

3 Q. Yes, sir.

4 A. I was not at McKesson at the  
5 time.

6 Q. But you're part of the  
7 industry.

8 A. When --

9 Q. Are you denying the fact  
10 that McKesson is the largest distributor  
11 of opioids in this country, are you  
12 denying the fact that they ought to know  
13 about the extent of diversion, sir?

14 MS. HENN: Objection to  
15 form.

16 THE WITNESS: No, I did not  
17 say that they should not know  
18 about it. I'm just stating that  
19 in '02 when this document came out  
20 I did not work for McKesson.

21 BY MR. KENNEDY:

22 Q. Can you agree with me, sir,  
23 as part of this industry, and someone who  
24 has dealt with the DEA his entire career,

1 can you agree that by the -- by the early  
2 2000s, it had become evident that the DEA  
3 by itself could not monitor and prevent  
4 diversion of narcotics into our  
5 communities. They couldn't do it by  
6 themselves. Correct?

7 MS. HENN: Objection to  
8 form.

9 THE WITNESS: I don't know  
10 what they can and couldn't do.

11 I know that the requirement  
12 was for a distributor to have a  
13 program in place to monitor --  
14 monitor and detect suspicious  
15 ordering.

16 MR. KENNEDY: Give me 1086.

17 BY MR. KENNEDY:

18 Q. I'm asking about the DEA and  
19 their abilities and -- and what McKesson  
20 knew and understand about the DEA's  
21 ability to handle the problem by  
22 themselves. All right? And it was known  
23 by the early 2000s that the DEA by  
24 themselves could not prevent the



1 diversion of narcotics into our  
2 communities. It was known, was it not?

3 MS. HENN: Objection to  
4 form.

5 THE WITNESS: Sir, I -- I  
6 could not say whether the -- what  
7 resources the DEA has for them to  
8 do their ability.

9 So I really can't comment  
10 whether they could do it alone or  
11 not, sir. I know our requirement  
12 is to have a system in place to  
13 report --

14 BY MR. KENNEDY:

15 Q. We'll talk about that. I  
16 just want to ask about --

17 MS. HENN: Counsel, let's  
18 let him answer the question  
19 please.

20 MR. KENNEDY: Go ahead.

21 MS. ROZMAN: This is Exhibit  
22 MCK Oriente 518.

23 MS. HENN: Did you have any  
24 more you wanted to add?

1 THE WITNESS: No.

2 MS. HENN: All right. So  
3 I'm handing the witness MCK  
4 Oriente 518.

5 (Document marked for  
6 identification as Exhibit  
7 MCK-Oriente-518.)

8 BY MR. KENNEDY:

9 Q. See this -- this stated  
10 memorandum for ASA Hutchinson,  
11 administrator, Drug Enforcement  
12 Administration. Do you see that?

13 A. Yes.

14 Q. And it's from the Inspector  
15 General. Have you ever heard of the  
16 Inspector General of the United States of  
17 America?

18 A. Yes, I have.

19 Q. "Subject, review of Drug  
20 Enforcement Administration's  
21 investigations of the diversion of  
22 controlled pharmaceuticals. Report  
23 number I-2002-010." Do you see that,  
24 sir?

1           A.       Yes, that's in the subject  
2     line.

3           Q.       Does the first title state,  
4     "Attached is the final report covering  
5     our review of the Drug Enforcement  
6     Administration's, DEA, efforts to  
7     investigate cases of controlled  
8     pharmaceutical diversion"? Does it state  
9     that, sir?

10          A.       It does.

11          Q.       If you'll go to --

12                 MS. HENN: Counsel, does  
13     this document have a date?

14                 MR. KENNEDY: This is from  
15     2002.

16                 MS. HENN: Thank you.

17     BY MR. KENNEDY:

18          Q.       And if you'll go, sir, to  
19     .4.

20          A.       10 percent is all they are  
21     diverting.

22          Q.       Are you on .4? It's up on  
23     the screen.

24          A.       Yeah, I'm looking at the

1 document here. Where is that on this  
2 document?

3 Q. It's on .4, Page .4 up in  
4 the right corner, right upper corner,  
5 sir.

6 A. Okay.

7 MS. HENN: And you can take  
8 your time to review it.

9 BY MR. KENNEDY:

10 Q. Does the Inspector General  
11 state here in 2002, "Our review found  
12 that DEA's enforcement efforts have not  
13 adequately addressed the problem of  
14 controlled pharmaceutical diversion"?  
15 Does it state that, sir?

16 A. It does.

17 Q. "Despite the widespread  
18 problem of pharmaceutical abuse, the DEA  
19 has dedicated only 10 percent of its  
20 field investigator positions to diversion  
21 investigations," sir. Do you see that?

22 A. Yes. It says only  
23 10 percent.

24 Q. McKesson is the largest

1 distributor of pharmaceuticals,  
2 controlled substances in the country.  
3 Shouldn't they understand the abilities,  
4 inabilities of the DEA in fighting this  
5 problem of diversion? Shouldn't they  
6 understand that?

7 MS. HENN: Objection to  
8 form.

9 THE WITNESS: Sir, I'm --  
10 I'm not, you know, in a position  
11 to determine what abilities the  
12 DEA has.

13 As far as McKesson, we took  
14 our responsibilities, you know,  
15 seriously as a distributor and we  
16 had our programs in place.

17 And to -- here I'm reading  
18 that the DEA only used 10 percent  
19 of its field investigators to look  
20 at the problem, and that the  
21 overall investigators decreased  
22 3 percent during this problem.

23 BY MR. KENNEDY:

24 Q. Do you have --

1           A.       So for me to say what the  
2       DEA should be doing is not in -- is  
3       really not my place, sir.

4           Q.       I'm just -- I'm just asking  
5       you what the largest distributor in the  
6       world should understand about the  
7       limitations of the DEA. All right?

8           A.       Mm-hmm.

9           Q.       But you said something, and  
10      I'm going to write it down.

11                    I started to write it down.  
12      Because we're going to talk about this in  
13      a minute.

14                    You just said that McKesson  
15      took our -- quote, "took our  
16      responsibilities very seriously."

17                    Is that what you just told  
18      me?

19                    MS. HENN: Objection to  
20      form.

21      BY MR. KENNEDY:

22           Q.       "McKesson took our  
23      responsibilities very seriously." Is  
24      that what you just told me?

1           A.       I believe that's what I  
2       said, yes.

3           Q.       We'll come back to that, all  
4       right.

5                    The United States of America  
6       was so concerned about this crisis and  
7       about the DEA's ability, they did another  
8       follow-up study in 2006.

9                    Can we agree that if the  
10      federal government is reporting a study  
11      with respect to the DEA's ability to  
12      fight diversion, McKesson as the largest  
13      distributor of these narcotics should  
14      know and understand that, sir?

15                   MS. HENN:   Objection to  
16                   form.

17                   THE WITNESS:   Sir, it --  
18      BY MR. KENNEDY:

19           Q.       I'm just -- can you agree  
20      they should know that?

21                   MS. HENN:   Objection to  
22                   form.

23                   THE WITNESS:   I believe  
24      McKesson should know what is going

1           on in the -- in the industry  
2           that -- that we're regulated in.

3       BY MR. KENNEDY:

4           Q.       And they are being regulated  
5       by the DEA, right?

6           A.       That is correct.

7                   MR. KENNEDY:   Give me 1088,  
8       please.

9                   MS. HENN:   I'm sorry, did  
10      you --

11                  THE WITNESS:   I said one of  
12      the agencies that regulates us.  
13      We also have FDA.

14                  MS. ROZMAN:   This is MCK  
15      Oriente Exhibit 519.

16                  THE WITNESS:   Thank you.

17                       (Document marked for  
18      identification as Exhibit  
19      MCK-Oriente-519.)

20       BY MR. KENNEDY:

21           Q.       Does it say up here on the  
22      left of the cover page, "U.S. Department  
23      of Justice, Office of the Inspector  
24      General, Evaluation and Inspections



1 Division." Is that what it states?

2 A. It does say that.

3 Q. Is the title of this report,  
4 "Follow-up of the Drug Enforcement  
5 Administration's efforts to control the  
6 diversion of controlled pharmaceuticals"?  
7 Does it state that, sir, is that the  
8 title of this program?

9 A. Yes, it is.

10 Q. And this is July of 2006.  
11 Would that be correct?

12 A. That's what's stated here,  
13 yes.

14 Q. And if you go to Page .5 in  
15 the upper right-hand corner. Now, this  
16 is the follow-up of the DEA by the  
17 federal government.

18 And this follow-up in '06,  
19 they state, "Despite these positive  
20 actions, we identified several continuing  
21 concerns. We found that although the  
22 need for special agent assistance in  
23 diversion investigations had increased  
24 significantly since our previous review,

1 the time spent by special agents  
2 assisting diversion investigations still  
3 constitutes a small share of their total  
4 investigative effort."

5 Do they state that, sir?

6 A. Yes, that's written here.

7 Q. They continue to state: "In  
8 addition, we've found that the DEA still  
9 had not resolved the complicated issue of  
10 providing law enforcement authority for  
11 diversion investigators, although it is  
12 actively pursuing this matter. Further,  
13 we found that few DEA special agents had  
14 received diversion control training  
15 beyond the two-hour module provided  
16 during basic agent training."

17 And finally: "In addition,  
18 the support provided by intelligence  
19 analysts to diversion groups in the field  
20 has continued to be limited, and  
21 intelligence analysts still received  
22 minimal diversion control training."

23 Tell me, '06, you're working  
24 at McKesson. Who read this report at

1 McKesson to understand the limitations of  
2 the DEA in assisting and controlling the  
3 flow of narcotics to pharmacies?

4 MS. HENN: Objection to  
5 form.

6 BY MR. KENNEDY:

7 Q. Who?

8 MS. HENN: Same objection.

9 THE WITNESS: I cannot tell  
10 you who read this report. I know  
11 that I did not.

12 BY MR. KENNEDY:

13 Q. And at this point in time,  
14 you understand, you've been in the  
15 industry since '99. What do we have,  
16 40-, 50-, 60,000 pharmacies in the United  
17 States at this time, correct, in '06?

18 MS. HENN: Objection to  
19 form.

20 THE WITNESS: I don't know  
21 the exact amount of pharmacies in  
22 the United States in '06, sir.

23 BY MR. KENNEDY:

24 Q. Certainly McKesson knew and

1 understand that the DEA alone could not  
2 monitor 40-, 50-, 60,000 pharmacies,  
3 true?

4 MS. HENN: Objection to  
5 form.

6 THE WITNESS: I'm sorry. I  
7 can't comment on what the DEA's  
8 abilities are.

9 BY MR. KENNEDY:

10 Q. You talked a lot with  
11 Mr. Papantonio. You talked a lot about  
12 suspicious orders. Do you remember all  
13 that discussion?

14 A. Yes.

15 Q. And I think you agreed with  
16 him that -- that legally, the law  
17 requires that McKesson, number one,  
18 identify suspicious orders from  
19 pharmacies, correct?

20 A. Yes.

21 Q. And number two, I think you  
22 agreed that the law requires that  
23 McKesson, when it identifies a suspicious  
24 order, that they report that to the DEA,

1 correct?

2 A. Yes, sir.

3 Q. And when this new program,  
4 this enhanced program came in in 2008,  
5 can we agree that McKesson knew and  
6 understood not only did they have to  
7 recognize suspicious orders, not only is  
8 it their lawful duty to report those to  
9 the DEA, but they knew and understood  
10 that the DEA expected them to not ship  
11 suspicious orders?

12 A. Yes. Once an order was  
13 identified as suspicious, it should not  
14 be shipped.

15 Q. Sir, I'm going to ask you  
16 some questions now about -- that maybe  
17 will explain some -- some things.

18 We talked about a lot of  
19 suspicious orders that you didn't report  
20 to the DEA this morning, correct?

21 MS. HENN: Objection to  
22 form.

23 BY MR. KENNEDY:

24 Q. Correct, sir?

1           A.       They -- they were noted in  
2       the report. I'm -- I'm not familiar with  
3       which ones the DEA is saying suspicious  
4       that I did not report.

5           Q.       I understand. But you --  
6       you weren't questioning the accuracy of  
7       those DEA reports this morning, they  
8       weren't making that stuff up, right?

9           A.       I don't believe they were,  
10      no.

11          Q.       And I want to take a look,  
12      maybe with a little bit of detail, as to  
13      why that happened. All right?

14          A.       Yes.

15          Q.       As I ask you questions  
16      though, and as we talk about what  
17      McKesson did and didn't do, as we talk  
18      about the decisions that McKesson has  
19      made along the way, can we agree that  
20      it's important to evaluate McKesson's  
21      decisions within the framework of what  
22      was going on in America at the time, can  
23      we agree to that?

24                   MS. HENN: Objection to

1 form.

2 THE WITNESS: You're saying  
3 looking back at it now?

4 BY MR. KENNEDY:

5 Q. That's what we're going to  
6 do. We're going to -- we're going to  
7 look back at that new program in '08, and  
8 when we look at the decisions that  
9 McKesson made along the way, it's  
10 important to look at those decisions  
11 within the context of what was going on  
12 in America; number one, a crisis, number  
13 two, diversion, and number three, a DEA  
14 that needed help. All right?

15 MS. HENN: Objection to  
16 form.

17 BY MR. KENNEDY:

18 Q. Can we do that?

19 MS. HENN: Same objection.

20 THE WITNESS: Okay.

21 BY MR. KENNEDY:

22 Q. And let's look at the  
23 controlled substances monitoring program  
24 that came into effect at McKesson in

1 2008. All right. That's where I want to  
2 focus maybe the rest of the afternoon.

3 All right?

4 A. Mm-hmm.

5 Q. You were a director of  
6 regulatory affairs when this new program  
7 came into place, true?

8 A. Yes.

9 Q. A national program, true?

10 A. Yes.

[REDACTED]



A horizontal bar chart titled 'Percentage of respondents who believe that the government should take action to address climate change'. The chart is broken down by age group (18-29, 30-49, 50-69, 70+) and gender (Male, Female). The x-axis represents the percentage of respondents, ranging from 0% to 100%. The y-axis lists the demographic groups. The bars are colored in shades of gray. The data shows that a majority of respondents in all age groups and both genders believe the government should take action to address climate change, with the highest percentages generally found in the 18-29 age group and among females.

Age Group	Gender	Percentage of respondents who believe that the government should take action to address climate change
18-29	Male	85%
	Female	90%
30-49	Male	80%
	Female	85%
50-69	Male	75%
	Female	80%
70+	Male	70%
	Female	75%

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[illegible]

[illegible]

[illegible]



A horizontal bar chart with 20 rows. Each row has a small square marker on the left and a corresponding horizontal bar. The bars vary in length and position, representing percentages. The bars are gray, and the background is white. The chart is enclosed in a black border.

Category	Percentage
1	75%
2	65%
3	80%
4	85%
5	78%
6	92%
7	82%
8	88%
9	88%
10	55%
11	25%
12	75%
13	55%
14	88%
15	92%
16	15%
17	85%
18	95%
19	92%
20	35%

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■	[REDACTED]	

[illegible]



[illegible]

Category	Percentage
1	90
2	85
3	15
4	10
5	88
6	10
7	85
8	10
9	88
10	15
11	80
12	90
13	75
14	10
15	10
16	88
17	85
18	88
19	85
20	75
21	15
22	10
23	88
24	88
25	85
26	75
27	80
28	90
29	70
30	80
31	90
32	70

■ [REDACTED]  
■ [REDACTED] [REDACTED]  
■ [REDACTED]  
■ [REDACTED]

5 Q. All righty.

6 MR. KENNEDY: Now, can I  
7 have the Elmo for a second,  
8 please.

9 BY MR. KENNEDY:

10 Q. I want to go back to your  
11 statement here, sir.

12 "McKesson took our  
13 responsibilities very seriously." That's  
14 your statement, sir?

15 A. Right, sir.

16 Q. And do you know that the  
17 president/CEO of McKesson, you talked  
18 about earlier, he testified on May 18th  
19 of this year in front of Congress.

20 You've seen some clips of that?

21 A. Yes, I did.

22 Q. And do you know -- and you  
23 watched it. Do you remember him saying,  
24 just like you just said, he said that

1 McKesson took its responsibilities with  
2 respect to monitoring controlled  
3 substances, they took that responsibility  
4 back in '08 very seriously. Do you  
5 remember that?

6 A. I remember hearing that,  
7 yes.

8 Q. And that is what you've told  
9 us here today?

10 A. I did say that, yes.

11 Q. All right. Now, when  
12 somebody, when a customer would want  
13 to -- let's talk a little bit about how  
14 serious y'all took this.

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED] [REDACTED] [REDACTED]

█ [REDACTED]

█ [REDACTED] [REDACTED]

█ [REDACTED] [REDACTED]

█ [REDACTED]

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2

Q. Thank you.

3

4

5

6

MS. HENN: And I'll just remind the witness that he is entitled to give his answer to the question.

7

8

MR. KENNEDY: He's entitled to answer my question.

9

MS. HENN: Right.

10

11

MR. KENNEDY: Not the question he wants to answer.

12

MS. HENN: Well, we can --

13

14

15

MR. KENNEDY: That's what he's entitled to. And nothing more.

16

17

18

MS. HENN: And we can disagree about whether you are allowing him to do that.

19

BY MR. KENNEDY:

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Row	Bar Start (approx. %)	Bar End (approx. %)
1	25	85
2	25	65
3	10	42
4	25	95
5	10	87
6	10	62
7	37	56
8	60	85
9	25	35
10	37	62
11	66	93
12	25	85
13	25	68
14	10	42
15	25	91
16	10	87
17	10	91
18	10	77
19	10	89
20	10	89
21	10	82
22	10	81
23	25	52
24	25	87
25	10	27





[illegible]

[illegible]

A vertical timeline from 1990 to 2014, with each year marked by a small square. Horizontal bars of varying lengths and positions represent the duration of various projects or events. The bars are gray and set against a light gray background.

Year	Project/Event	Duration (Approximate)
1990	Project A	1990 - 1992
1991	Project B	1991 - 1993
1992	Project C	1992 - 1994
1993	Project D	1993 - 1995
1994	Project E	1994 - 1996
1995	Project F	1995 - 1997
1996	Project G	1996 - 1998
1997	Project H	1997 - 1999
1998	Project I	1998 - 2000
1999	Project J	1999 - 2001
2000	Project K	2000 - 2002
2001	Project L	2001 - 2003
2002	Project M	2002 - 2004
2003	Project N	2003 - 2005
2004	Project O	2004 - 2006
2005	Project P	2005 - 2007
2006	Project Q	2006 - 2008
2007	Project R	2007 - 2009
2008	Project S	2008 - 2010
2009	Project T	2009 - 2011
2010	Project U	2010 - 2012
2011	Project V	2011 - 2013
2012	Project W	2012 - 2014
2013	Project X	2013 - 2015
2014	Project Y	2014 - 2016



[illegible]



A horizontal bar chart consisting of 20 rows. Each row features a small, dark gray square icon on the left side, followed by a larger, light gray rectangular bar. The bars vary in their starting and ending horizontal positions, creating a staggered effect. Some bars span the entire width of the chart area, while others are shorter or offset to the right. The overall layout is clean and minimalist, with a white background.

22 BY MR. KENNEDY:

23 Q. You were the head of  
24 regulatory, weren't you?

1                   A.     Yes, sir.

2 MR. KENNEDY: Give me 5012  
3 please.

4 BY MR. KENNEDY:

[illegible]

18 Q. And what does RSM stand for?

19                   A.       Retail sales manager.

Bar Index	Percentage
1	100%
2	80%
3	90%
4	70%
5	100%

A horizontal bar chart consisting of 20 rows. Each row begins with a small, solid black square marker. The bars themselves are solid black rectangles of varying lengths and positions. The first bar is the longest, extending almost to the right edge of the chart area. The second bar is shorter and has a gap between its end and the right edge. The third bar is the longest again, extending to the right edge. The fourth bar is also long, extending to the right edge. The fifth bar is shorter, ending about three-quarters of the way across. The sixth bar is the shortest, ending about halfway across. The seventh bar is longer, ending about three-quarters of the way across. The eighth bar is long, extending to the right edge. The ninth bar is also long, extending to the right edge. The tenth bar is shorter, ending about halfway across. The eleventh bar is longer, ending about three-quarters of the way across. The twelfth bar is the longest in this group, extending to the right edge. The thirteenth bar is shorter, ending about halfway across. The fourteenth bar is longer, ending about three-quarters of the way across. The fifteenth bar is the longest in this group, extending to the right edge. The sixteenth bar is shorter, ending about halfway across. The seventeenth bar is longer, ending about three-quarters of the way across. The eighteenth bar is the longest in this group, extending to the right edge. The nineteenth bar is shorter, ending about halfway across. The twentieth bar is longer, ending about three-quarters of the way across.

21                   What is ISMC? That is  
22   independent/small/medium-size customers,  
23   right?

24                    A.        Yes.

[illegible]

[illegible]

[illegible]

The image displays a horizontal bar chart with 25 rows. Each row features a small, dark gray square marker on the left side, followed by a larger, light gray rectangular bar. The bars vary in their starting and ending horizontal positions, creating a staggered effect. The markers are consistently aligned to the left of each bar. The bars themselves are light gray and have varying lengths and offsets from the left edge of the chart area.

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[illegible]



The diagram consists of a vertical list of 14 items. Each item is represented by a small square icon to its left and a horizontal bar of varying length and position to its right. The bars are arranged in a way that suggests a sequence or hierarchy, with some bars starting at different horizontal positions and others extending further to the right. The bars are colored in a light gray shade.

14 Q. Sir, what we've got here,  
15 we've got a system. Again, you told us  
16 you were taking this very seriously.  
17 You've got a system whereby, number one,  
18 let's say a pharmacy is getting low on  
19 OxyContin, oxycodone, dangerous drug,  
20 right?

21           A.     Strong painkiller.

22 Q. In the middle of the  
23 epidemic, right?

24                    A.        That is correct.

[illegible]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8 Q. You know what, these  
9 thresholds that we are talking about  
10 here, if we can go back a second, to 5009  
11 I think.

12 MS. HENN: And, Counsel, the  
13 deposition protocol requires  
14 demonstratives to be entered as  
15 exhibits, just to make sure we  
16 take back --

17 MR. KENNEDY: 5009 is  
18 Exhibit 539.

19 MS. ROZMAN: This is that  
20 one.

21 MS. HENN: I'm talking about  
22 the Elmo demonstratives.

23 MS. ROZMAN: Oh, I'm sorry.

24 MS. HENN: Those need to be

1                   labeled as exhibits at some point.

2       BY MR. KENNEDY:

3                   Q.       I want to go back a second  
4       here, because we -- we just need to be  
5       reminded of this as we go forward.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15 Q. You know him, right?

16 A. I worked with Dave, yes.

17 Q. He is a good guy?

18 A. That's a commentary, sir. I  
19 mean Dave was --

20 Q. Well, do you like him, a  
21 competent guy, he did a good job for  
22 McKesson?

23 MS. HENN: Objection to  
24 form.

1 THE WITNESS: I believe he  
2 did, sir.

3 BY MR. KENNEDY:

4 Q. And he's -- he's going to  
5 follow the rules in the approach that  
6 McKesson is taking with respect to these  
7 things, isn't he?

8 A. He would in his  
9 interpretation of the program, sir.

[REDACTED]



[illegible]

[REDACTED]

10 Q. Let's continue on. Let's  
11 how serious we are all taking this,  
12 what's going on.

13 MS. HENN: Counsel, it's  
14 been about an hour since you got  
15 started. So I'd ask if it's an  
16 okay time to take a ten-minute  
17 break?

18 MR. KENNEDY: Sure.

19 THE VIDEOGRAPHER: Stand by  
20 please. The time is 2:57 p.m. Off  
21 the record.

22 (Short break.)

23 THE VIDEOGRAPHER: We are  
24 back on the record. The time is

1 3:12 p.m.

2 MR. KENNEDY: We all set?

3 THE VIDEOGRAPHER: All set.

4 BY MR. KENNEDY:

5 Q. All right, Mr. Oriente, I  
6 want to continue to talk about threshold  
7 change requests.

8 Let me show you 5014.

9 MS. ROZMAN: Which is MCK  
10 Oriente 544.

11 (Document marked for  
12 identification as Exhibit  
13 MCK-Oriente-544.)

14 BY MR. KENNEDY:

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

■ ■ [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED] [REDACTED]

■ [REDACTED]

5 BY MR. KENNEDY:

6 Q. All the red handwriting is  
7 mine, all right?

8 And if -- if this --  
9 attached to this threshold change  
10 request, I'm going to start by talking  
11 about the e-mails leading up to that  
12 threshold change request. All right.

13 And I put numbers on these,  
14 one, two, three, four, five. And that's  
15 so we can follow it through  
16 chronologically. All right.

17 So if you'll go to Page .4.

18 MS. HENN: And you can take  
19 your time reading the whole  
20 document if you need to.

21 THE WITNESS: Okay.

22 BY MR. KENNEDY:

23 Q. We're going to read the  
24 entire document, sir. All right. You

1 all set?

2 A. Almost. Okay. Thank you.

3 Q. All right. E-mail Number 1.  
4 Let's start with the first e-mail that's  
5 written. Number 1. Do you see that on  
6 Page .4?

7 A. Yes, sir.

8 Q. Now, down at the bottom, on  
9 .4, we have an e-mail from Dave Gustin,  
10 correct?

11 A. Yes. He's the --

12 Q. And he is -- he is a  
13 director of regulatory affairs just like  
14 you, true?

15 A. Yes. He handled the  
16 Northeast region.

17 Q. And you are in the Northeast  
18 region?

19 A. I'm sorry, I misspoke. He  
20 was in the North Central. Thank you.

21 Q. All right. North Central?

22 A. Yeah. Thank you.

[REDACTED]

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9 Q. Who is Snider?

10 A. Blaine Snider is the DC  
11 manager at the New Castle distribution  
12 center.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

16 Q. Catton. And he's in sales,  
17 true?

18 A. Yes, he was vice president  
19 of sales.

20 Q. And the subject on this is  
21 New Castle CSMP report. New Castle is in  
22 your region, true?

23 A. Yes.

24 Q. And New Castle is what







[illegible]

[illegible]



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[REDACTED]

15                               Four months later, Diane  
16       Martin -- who is Diane Martin?

17                       A.       She worked in the  
18       distribution center. I'm not sure what  
19       her position was.

20                       Q.       She sends an e-mail now on  
21       September 22, 2008, correct?

22                       A.       Yes.

23                       Q.       She sends it to Gustin. She  
24       sends it to Catton in sales. She sends

[illegible]

[illegible]



[illegible]

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[REDACTED]

4 Q. And hydrocodone is at the  
5 center of the opioid crisis that's going  
6 on in '08, correct?

7 A. That is correct.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

22 Q. Now, let's -- I'm going to  
23 show you some more -- more threshold  
24 change requests. This is a series of

1 different exhibits.

2 And we're not going to use  
3 the screen on this one.

4 MR. KENNEDY: This is a  
5 package of different exhibits.

6 MS. ROZMAN: Collectively we  
7 have MCK Oriente 525, 526, 527,  
8 528, and 529.

9 (Document marked for  
10 identification as Exhibit  
11 MCK-Oriente-525.)

12 (Document marked for  
13 identification as Exhibit  
14 MCK-Oriente-526.)

15 (Document marked for  
16 identification as Exhibit  
17 MCK-Oriente-527.)

18 (Document marked for  
19 identification as Exhibit  
20 MCK-Oriente-528.)

21 (Document marked for  
22 identification as Exhibit  
23 MCK-Oriente-529.)

24 BY MR. KENNEDY:

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[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

7 Q. Do you know who Mr. Boggs  
8 is?

9 A. Yes.

10 Q. Dave Boggs? Is he above you  
11 in the chain, he's a senior regulatory  
12 affairs?

13 A. Not -- not Dave Boggs.

14 Q. Dave Boggs, what is it?

15 A. Gary Boggs.

16 Q. I'm sorry. Gary Boggs. He  
17 is up above you --

18 A. Yes.

19 Q. In fact, he is a senior  
20 regulatory --

21 A. Yes, he is a senior director  
22 over the eastern half of the country.

23 Q. Do you know that he gave  
24 testimony on behalf of McKesson on



1 May 23, 2018, so a month ago about?

2 A. I knew that he did. Yes.

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The diagram consists of 28 horizontal gray bars of varying lengths and positions, arranged vertically. The bars are as follows:

- Bar 1: Starts at the left edge, ends at approximately 80% width.
- Bar 2: Starts at approximately 10% width, ends at approximately 25% width.
- Bar 3: Starts at approximately 25% width, ends at approximately 90% width.
- Bar 4: Starts at approximately 10% width, ends at approximately 90% width.
- Bar 5: Starts at the left edge, ends at approximately 90% width.
- Bar 6: Starts at approximately 25% width, ends at approximately 93% width.
- Bar 7: Starts at the left edge, ends at approximately 75% width, followed by a gap and then a segment from approximately 80% to 95% width.
- Bar 8: Starts at the left edge, ends at approximately 93% width.
- Bar 9: Starts at the left edge, ends at approximately 80% width.
- Bar 10: Starts at the left edge, ends at approximately 75% width.
- Bar 11: Starts at the left edge, ends at approximately 82% width.
- Bar 12: Starts at the left edge, ends at approximately 78% width.
- Bar 13: Starts at the left edge, ends at approximately 84% width.
- Bar 14: Starts at the left edge, ends at approximately 86% width.
- Bar 15: Starts at the left edge, ends at approximately 87% width.
- Bar 16: Starts at approximately 10% width, ends at approximately 40% width, followed by a gap and then a segment from approximately 45% to 55% width.
- Bar 17: Starts at approximately 35% width, ends at approximately 55% width, followed by a gap and then a segment from approximately 60% to 82% width.
- Bar 18: Starts at approximately 25% width, ends at approximately 35% width.
- Bar 19: Starts at approximately 35% width, ends at approximately 60% width, followed by a gap and then a segment from approximately 65% to 75% width.
- Bar 20: Starts at approximately 25% width, ends at approximately 88% width.
- Bar 21: Starts at approximately 25% width, ends at approximately 83% width.
- Bar 22: Starts at approximately 25% width, ends at approximately 81% width.
- Bar 23: Starts at approximately 25% width, ends at approximately 86% width.
- Bar 24: Starts at the left edge, ends at approximately 40% width.
- Bar 25: Starts at approximately 25% width, ends at approximately 88% width.

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■			

Row	Bar Length (approx. %)
1	95
2	98
3	85
4	95
5	60
6	90
7	50
8	90
9	100
10	100
11	35
12	92
13	25
14	85
15	55
16	90
17	98
18	85
19	95
20	100
21	85
22	95
23	90
24	95
25	100
26	20
27	10
28	50

23 Q. Let me show you another  
24 exhibit, another threshold change

1 request. All right.

2 MR. KENNEDY: 5017. This  
3 one we'll bring up please.

4 MS. ROZMAN: This is MCK  
5 Oriente 547.

6 (Document marked for  
7 identification as Exhibit  
8 MCK-Oriente-547.)

9 BY MR. KENNEDY:

10 Q. And I put numbers on this so  
11 we could -- we can follow through in the  
12 right order, in the right order of these  
13 e-mails.

14 First e-mail chronologically  
15 is on the first page. Now, Dave Gustin,  
16 we know Dave Gustin, he is a director of  
17 regulatory affairs like you, correct?

18 A. Yes.

19 Q. And he is in charge of the  
20 entire region?

21 A. He was in charge of the  
22 North Central. He I believe has since  
23 retired.

24 Q. And you wouldn't expect him

1 to be doing things that weren't  
2 consistent with the policies of this  
3 company, would you? You wouldn't expect  
4 Dave to be doing that, he is a good guy,  
5 a good employee. He is going to -- he is  
6 going to follow what McKesson does, won't  
7 he?

8 A. He should -- he should  
9 follow the proper procedure, yes.

10 Q. So Dave Gustin, on  
11 December 16, 2008, he sends an e-mail to  
12 Michael Bishop. Do you see that?

13 A. Yes.

14 Q. Do you know who Michael  
15 Bishop is?

16 A. Michael Bishop was a  
17 regulatory affairs manager. But at this  
18 time he was in the -- in 2008 when this  
19 was written, he was in the retail  
20 national accounts team.

21 Q. And what's that? Does that  
22 make him sales?

23 A. He would have been involved  
24 with customer support and sales.

1 Q. So now we got a -- again, we  
2 got a regulatory guy writing an e-mail to  
3 sales. And the subject is could you do  
4 me a favor. Do you see that?

5 A. Yes.

6 Q. And he e-mails to Bishop,  
7 and he says, "Are you in" -- "are you in  
8 today?" Correct?

9 A. Yes.

10 Q. Now, we turn the page. And  
11 it's the same day. We look at the next  
12 e-mail, it's at the top of the page. And  
13 Gustin sends a second e-mail to Bishop on  
14 the same day, same subject, could you do  
15 me a favor. Right?

16 A. Yeah. Same subject on the  
17 e-mail.

[REDACTED]

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100	1	1	1



[illegible]

[illegible]



[REDACTED]

21 Q. Not typical? Go up to the  
22 next e-mail, please. Go up to the next  
23 e-mail.

24 A. Number 7?

1 Q. Number 7. We've got Gustin  
2 now sending another e-mail. And it's --  
3 it's to a different group of people. And  
4 he's sending it to you also, is he not?

5 A. Yes. I'm on -- I'm on  
6 the --

7 Q. December 17th?

8 A. I'm cc'd.

9 Q. Okay. And again, could you  
10 do me a favor. This one isn't -- this is  
11 different. This is not to Bishop. Now,  
12 this is to a different group of people  
13 saying, can you do me a favor, right?

14 MS. HENN: Objection to  
15 form.

16 BY MR. KENNEDY:

17 Q. Right?

18 A. Well, I'm -- I'm reading it,  
19 sir.

20 Q. I'll -- we'll -- you want  
21 to -- we'll go through it. I'm going to  
22 go through it.

23 A. Yeah, but you asked me a  
24 question that I can't answer until I read

1     it.

2             Q.     I'm saying, was this to a  
3     different group of people?

4             MS. HENN: Counsel, if you  
5     give him a moment he'll answer  
6     your question.

7     BY MR. KENNEDY:

8             Q.     Was this to a different  
9     group of people?

10            A.     It -- this one is sent to  
11     the pharmacy group DC managers. DCM.

12            Q.     And it's sent to you?

13            A.     I'm cc'd along with the  
14     other directors, Tracy and Bill.

■            ■     [REDACTED]

■     [REDACTED]

■            ■     [REDACTED]

■     [REDACTED]

■     [REDACTED]

■            ■     [REDACTED]

■     [REDACTED]

■            ■     [REDACTED]

■     [REDACTED]

■            ■     [REDACTED]

[illegible]

■	[REDACTED]	[REDACTED]	[REDACTED]
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■	[REDACTED]		
■		■	[REDACTED]
■	[REDACTED]		
■	[REDACTED]	[REDACTED]	[REDACTED]
■		■	[REDACTED]
■		■	[REDACTED]
■	[REDACTED]		
■	[REDACTED]		
■			[REDACTED]
■	[REDACTED]	[REDACTED]	[REDACTED]
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■	[REDACTED]		
■	[REDACTED]		



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8 BY MR. KENNEDY:

9 Q. You know what, you told us  
10 how serious you took this program  
11 considering we had a crisis going on in  
12 this country. And so did the president  
13 and CEO of your company when he testified  
14 in front of Congress. Let's take a look  
15 at that, sir, because I might want to ask  
16 you.

17 MR. KENNEDY: If you can  
18 give us 8, please.

19 (Document marked for  
20 identification as Exhibit  
21 MCK-Oriente-Video-8.)

22 (Video playback.)

23 REP. CASTOR:

24 Mr. Hammergren, your company

1 McKesson distributed over  
2 1.8 million opioid pills each year  
3 in 20 -- 2006 and 2007 to Family  
4 Discount Pharmacy. That's an  
5 average of about 5,000 pills per  
6 day in this rural small town.

7 Based upon figures cited by  
8 DEA, McKesson shipped Family  
9 Discount approximately six times  
10 the amount of hydrocodone that an  
11 average pharmacy in west -- in  
12 rural West virginia would have  
13 received during those years.

14 So similar question to you,  
15 McKesson delivered millions of  
16 pills to the single pharmacy.  
17 Clearly that's not reasonable and  
18 you should have -- you should have  
19 flagged that and stopped that  
20 right away. Why didn't you?

21 MR. HAMMERGREN: We did  
22 terminate the relationship with  
23 that pharmacy, and like  
24 Mr. Barrett, I -- I would have

1           liked to have made a decision  
2           faster.

3                   REP. CASTOR:   Don't you take  
4           responsibility for what was  
5           happening back then? Was it that  
6           the -- the profit motive was --  
7           simply overcame the -- you saw  
8           that paying the penalties on your  
9           settlement agreements was a cost  
10          worth paying because you were  
11          making so much money?

12                   MR. HAMMERGREN:  
13          Congresswoman, we take all these  
14          matters very seriously. Any  
15          settlement with a regulator we  
16          take very seriously. Our systems  
17          have evolved and we continue to  
18          invest heavily to make sure that  
19          situations like that don't happen  
20          again.

21                   REP. CASTOR:   I think this  
22          was the opposite of due diligence  
23          that was required under the law  
24          and we're going to be looking for

1 greater accountability. Thank  
2 you, and I go back.

3 (Video playback ended.)

4 BY MR. KENNEDY:

5 Q. You heard him talk about  
6 taking the settlement very seriously,  
7 didn't you?

8 A. Yes.

9 Q. Let's look at another  
10 threshold change request if we could.  
11 This is 5018.

12 MS. ROZMAN: MCK Oriente  
13 548.

14 (Document marked for  
15 identification as Exhibit  
16 MCK-Oriente-548.)

17 BY MR. KENNEDY:

18 Q. Is this another threshold  
19 change request, sir?

20 A. Yes, it is.

21 Q. And this one, this one is  
22 dated 11/26/08, is it not?

23 A. Yes, it is.



[illegible]

[illegible]

[REDACTED]

14 BY MR. KENNEDY:

15 Q. Sir, let me ask -- let me  
16 ask you this.

17 A. Yes.

18 Q. At this point in time,  
19 you're doing business with hundreds of  
20 CVSSs, right, hundreds of CVSSs?

21 A. Yes.

22 Q. Who is Don Walker?

23 A. Don Walker was a senior vice  
24 president distribution operations who we



<sup>1</sup> reported into.

2 Q. He was a -- he is a national  
3 guy, right?

4                   A.     Yes, sir.

5 Q. He makes agreements with  
6 CVS, he's making national agreements,  
7 right?

8                   A.     Yes, sir.

The diagram illustrates a hierarchical or sequential process. On the left, there is a vertical list of 15 items, represented by small squares. Each item has a corresponding horizontal bar extending to the right. The bars vary in length, suggesting different levels of detail or expansion for each item. The bars are arranged in a way that shows a progression from top to bottom, with some items having multiple bars of different lengths.

■

■

3 BY MR. KENNEDY:

4 Q. This is all very serious  
5 because there was an opioid crisis going  
6 on, correct?

7 A. Yes, sir.

8 Q. Is that right?

9 A. Yes, sir.

10 Q. And diversion from  
11 pharmacies like CVS was going on, was it  
12 not?

13 A. During this period, I don't  
14 know when the CVS had their issues in  
15 Florida at two stores. But yes, there  
16 was -- there was an opioid crisis in '08.

17 Q. Let's look at -- let's  
18 continue with CVS. Let's look at another  
19 threshold change request.

20 This is 5013.

21 MS. ROZMAN: MCK Oriente  
22 543.

23 (Document marked for  
24 identification as Exhibit

1 MCK-Oriente-543.)

2 BY MR. KENNEDY:

Response	Percentage
Yes, the U.S. should take action to reduce greenhouse gas emissions	95%
No, the U.S. should not take action to reduce greenhouse gas emissions	5%

\_\_\_\_\_

Response	Percentage
Yes	65%
No	35%
Don't know	0%

Age Group	Percentage
18-24	10%
25-34	15%
35-44	25%
45-54	30%
55-64	15%
65-74	10%
75-84	5%
85+	5%

\_\_\_\_\_

Age Group	Percentage
18-24	10%
25-34	15%
35-44	25%
45-54	30%
55-64	15%
65-74	10%
75-84	5%
85+	5%

Age Group	Percentage
18-24	10%
25-34	15%
35-44	25%
45-54	30%
55-64	15%
65-74	10%
75-84	5%
85+	5%

Age Group	Percentage
18-24	10%
25-34	20%
35-44	30%
45-54	25%
55-64	15%
65-74	10%
75-84	5%
85+	5%

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\_\_\_\_\_

\_\_\_\_\_

Age Group	Percentage
18-24	10%
25-34	15%
35-44	20%
45-54	25%
55-64	30%
65-74	35%
75-84	40%
85+	45%

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Age Group	Percentage
18-24	10%
25-34	20%
35-44	25%
45-54	20%
55-64	15%
65-74	10%
75-84	5%
85+	5%



[illegible]

Category	Percentage
1. No answer	10%
2. Not applicable	5%
3. Yes	95%
4. No	5%
5. Yes	90%
6. No	10%
7. Yes	95%
8. No	5%
9. Yes	90%
10. No	10%
11. Yes	95%
12. No	5%
13. Yes	90%
14. No	10%
15. Yes	95%
16. No	5%
17. Yes	90%
18. No	10%
19. Yes	95%
20. No	5%
21. Yes	90%
22. No	10%
23. Yes	95%
24. No	5%
25. Yes	90%
26. No	10%
27. Yes	95%
28. No	5%
29. Yes	90%
30. No	10%
31. Yes	95%
32. No	5%
33. Yes	90%
34. No	10%
35. Yes	95%
36. No	5%
37. Yes	90%
38. No	10%
39. Yes	95%
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41. Yes	90%
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43. Yes	95%
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99. Yes	95%
100. No	5%



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Highly Confidential - Subject to Further Confidentiality Review

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The image displays a horizontal bar chart with 25 rows. Each row consists of a small gray square on the left and a larger gray bar to its right. The bars vary in length and position, creating a fragmented, abstract pattern. The bars are distributed across the rows, with some starting at the left edge and others starting further to the right. The overall effect is a series of horizontal segments of varying lengths and positions, resembling a stylized, abstract representation of data or a sequence of events.

[illegible]



The diagram consists of 25 horizontal bars of varying lengths and positions, arranged in a sequence from top to bottom. The bars are colored in a light gray color. The sequence of bars is as follows:

- Bar 1: Starts at the left edge, ends at approximately 1/3 of the width.
- Bar 2: Starts at approximately 1/3 of the width, ends at approximately 2/3 of the width.
- Bar 3: Starts at the left edge, ends at approximately 1/2 of the width.
- Bar 4: Starts at approximately 1/2 of the width, ends at approximately 3/4 of the width.
- Bar 5: Starts at approximately 1/3 of the width, ends at approximately 1/4 of the width.
- Bar 6: Starts at approximately 1/2 of the width, ends at approximately 3/4 of the width.
- Bar 7: Starts at approximately 1/3 of the width, ends at approximately 2/3 of the width.
- Bar 8: Starts at approximately 1/3 of the width, ends at the right edge.
- Bar 9: Starts at the left edge, ends at approximately 2/3 of the width.
- Bar 10: Starts at the left edge, ends at approximately 3/4 of the width.
- Bar 11: Starts at the left edge, ends at approximately 2/3 of the width.
- Bar 12: Starts at the left edge, ends at approximately 3/4 of the width.
- Bar 13: Starts at the left edge, ends at approximately 1/2 of the width.
- Bar 14: Starts at the left edge, ends at approximately 3/4 of the width.
- Bar 15: Starts at the left edge, ends at approximately 2/3 of the width.
- Bar 16: Starts at the left edge, ends at approximately 1/3 of the width.
- Bar 17: Starts at approximately 1/3 of the width, ends at the right edge.
- Bar 18: Starts at approximately 1/3 of the width, ends at approximately 3/4 of the width.
- Bar 19: Starts at approximately 1/2 of the width, ends at approximately 3/4 of the width.
- Bar 20: Starts at approximately 1/2 of the width, ends at approximately 3/4 of the width.
- Bar 21: Starts at approximately 1/3 of the width, ends at approximately 1/4 of the width.
- Bar 22: Starts at the left edge, ends at approximately 1/3 of the width.
- Bar 23: Starts at approximately 1/3 of the width, ends at approximately 3/4 of the width.
- Bar 24: Starts at the left edge, ends at approximately 1/3 of the width.
- Bar 25: Starts at approximately 1/3 of the width, ends at the right edge.



[REDACTED]

19 MR. KENNEDY: What -- give  
20 me 5037, please.

21 MS. ROZMAN: MCK Oriente  
22 564.

23 (Document marked for  
24 identification as Exhibit





[illegible]

Row	Bar Length (approx. % of total width)
1	100
2	85
3	40
4	20
5	10
6	80
7	70
8	90
9	60
10	95
11	85
12	98
13	92
14	95
15	100
16	30
17	98
18	92
19	100
20	98
21	100
22	100
23	100
24	95
25	85

[illegible]

[illegible]

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[illegible]

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods used to collect and analyze data. It includes a detailed description of the sampling process and the statistical techniques employed.

3. The third part of the document presents the results of the study. It includes a series of tables and graphs that illustrate the findings of the research.

4. The fourth part of the document discusses the implications of the study. It highlights the key findings and their potential impact on the field of research.

5. The fifth part of the document provides a conclusion and a summary of the main points. It also includes a list of references and a bibliography.

6. The sixth part of the document contains a list of appendices. These include additional data, charts, and tables that are not included in the main body of the text.

7. The seventh part of the document is a list of footnotes. These provide additional information and references that are not included in the main body of the text.

8. The eighth part of the document is a list of references. These include all the sources used in the study, including books, articles, and websites.

9. The ninth part of the document is a list of appendices. These include additional data, charts, and tables that are not included in the main body of the text.

10. The tenth part of the document is a list of footnotes. These provide additional information and references that are not included in the main body of the text.



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[REDACTED]

14 MS. HENN: Objection to  
15 form. And I'd just like to note  
16 to the people on the phone,  
17 there's somebody without their  
18 mute button on, and if everyone  
19 could just make sure you are on  
20 mute, we would appreciate it.

21 BY MR. KENNEDY:

[REDACTED]

[REDACTED]

[REDACTED]



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15 MR. KENNEDY: Now, give me  
16 5036.

17 BY MR. KENNEDY:

18 Q. I'm going to look at what  
19 McKesson agreed to in the DEA 2008  
20 settlement agreement with respect to  
21 reviewing customers that ordered over  
22 their threshold. All right?

23 MS. ROZMAN: That's MCK  
24 Oriente 563.

1 (Document marked for  
2 identification as Exhibit  
3 MCK-Oriente-563.)

4 MS. HENN: And we will need  
5 a break relatively soon if there  
6 is a good spot to stop.

7 BY MR. KENNEDY:

8 Q. Do you see that, Page 1?

9 A. Mm-hmm.

10 Q. This is the settlement  
11 agreement between the Department of  
12 Justice and the DEA and McKesson. True?

13 A. Yes. Yes.

14 Q. All right. And this says,  
15 "This agreement is applicable to all of  
16 McKesson's distribution centers," right,  
17 when it says, "DEA registered  
18 facilities." True?

19 A. Yes.

20 Q. If you go to Page .3. See  
21 where it says terms and conditions?

22 A. Yes, sir.

23 Q. And it says obligations of  
24 McKesson?

1 A. Yes.

2 Q. And this is what McKesson  
3 agreed to with the United States  
4 government, right?

5 A. Yes.

6 Q. And this is after the  
7 payment of a \$13 million fine, true?

8 A. Yes.

9 Q. And it states under McKesson  
10 obligations, "A, McKesson agrees to  
11 maintain a compliance program designed to  
12 detect and prevent diversion of  
13 controlled substances as required under  
14 the CSA and applicable DEA regulations.

15 "This program shall include  
16 procedures to review orders for  
17 controlled substances."

18 This is the important part:  
19 "Orders that exceed established  
20 thresholds and criteria will be reviewed  
21 by a McKesson employee trained to detect  
22 suspicious orders for the purposes of  
23 determining whether, I, such orders  
24 should not be filled and reported to the



The diagram consists of a vertical list of 25 items. Each item is represented by a small square icon to its left and a horizontal bar of varying length and position. The bars are gray and set against a white background with a thin black border. The items are arranged in a sequence, with some bars starting at the left edge and others starting further to the right, suggesting a timeline or sequence of events.

[REDACTED]

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[REDACTED]

17 MS. ROZMAN: This is MCK  
18 Oriente 559.

19 (Document marked for  
20 identification as Exhibit  
21 MCK-Oriente-559.)

22 BY MR. KENNEDY:

[REDACTED]

[REDACTED]

[illegible]

22 Q. He is a part of sales,  
23 right?

24                   A.       He's an account manager,

<sup>1</sup> yes.

Category	Percentage
Current government	100%
Opposition	100%

\_\_\_\_\_

Response	Percentage
Yes, the U.S. should take action to reduce greenhouse gas emissions	95%
No, the U.S. should not take action to reduce greenhouse gas emissions	5%

\_\_\_\_\_

\_\_\_\_\_

Government	Percentage
Current government	75%
Previous government	25%

\_\_\_\_\_

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Age Group	Percentage
18-24	10%
25-34	15%
35-44	20%
45-54	25%
55-64	20%
65-74	10%
75+	10%

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Age Group	Percentage
18-24	10%
25-34	15%
35-44	25%
45-54	30%
55-64	15%
65-74	5%
75+	5%

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Age Group	Percentage
18-24	10%
25-34	20%
35-44	30%
45-54	25%
55-64	15%
65-74	10%
75+	10%



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Highly Confidential - Subject to Further Confidentiality Review

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[REDACTED]

6 BY MR. KENNEDY:

[REDACTED]

24 BY MR. KENNEDY:

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MR. KENNEDY: 5035, please.  
THE WITNESS: It has no  
determination on my decision when  
I made them working on my  
customers in the Northeast in  
regulatory.  
MS. HENN: Counsel, is this  
a good time for a break? We've  
been going about an hour and  
20 minutes.  
I'm going to just ask for a  
break. Thank you.  
MR. KENNEDY: Yeah, that's  
fine.

1 THE VIDEOGRAPHER: Stand by  
2 please. Remove your microphones.  
3 The time is 5:40 p.m. Off the  
4 record.

5 (Short break.)

6 THE VIDEOGRAPHER: We are  
7 back on the record. The time is  
8 4:56 p.m.

9 BY MR. KENNEDY:

10 Q. All right, Mr. Oriente. We  
11 just asked to take a look at 5035 if we  
12 could.

13 MS. ROZMAN: Which is MCK  
14 Oriente 562.

15 (Document marked for  
16 identification as Exhibit  
17 MCK-Oriente-562.)

18 MS. HENN: 562 you said?

19 MS. ROZMAN: Yeah. Here --

20 MS. HENN: Oh, this is new?

21 MS. ROZMAN: Yeah.

22 THE WITNESS: Thank you.

23 BY MR. KENNEDY:

24 Q. And you had indicated that

1     you didn't really know and understand how  
2     the salespeople were compensated at  
3     McKesson, is that right?

4             A.     That is correct. I didn't  
5     get involved with compensation plans for  
6     sales.

7             Q.     Here is a memo to U.S.  
8     pharmaceutical retail sales team. Do you  
9     see that?

10            A.     Yes.

11            Q.     Dated April 1, 2010?

12            A.     Yes.

13            Q.     Talking about the  
14     compensation plan. Do you see that?

15            A.     Yes.

[REDACTED]

[illegible]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

12 MR. KENNEDY: Can you read  
13 back the question.

14 BY MR. KENNEDY:

15 Q. I want you to listen to the  
16 question and I want you to try to answer  
17 my question as opposed to giving speeches  
18 about what you want to talk about. Is  
19 that agreeable?

20 MS. HENN: Counsel.

21 BY MR. KENNEDY:

22 Q. So I'm going to read back  
23 the question and you try to answer it  
24 again.

1 MR. KENNEDY: Go ahead,  
2 please.

3 (Whereupon, the court  
4 reporter read back the requested  
5 portion of testimony.)

6 BY MR. KENNEDY:

7 Q. Do you agree with that  
8 statement, sir?

9 A. Yes.

10 Q. Go back for a second. I  
11 want to still talk about these Level 1  
12 reviews if we could.

13 MR. KENNEDY: Go back to  
14 5036. I want to --

15 MS. HENN: 5036?

16 MR. KENNEDY: Yes, 5036  
17 which is Exhibit 563.

18 BY MR. KENNEDY:

19 Q. This is the agreement that  
20 you made with the FDA. Again, I think  
21 it's Page 12.

22 MS. HENN: DEA, counsel.

23 BY MR. KENNEDY:

24 Q. Yeah. This is the agreement

1 with the DEA in 2008. And we're back to  
2 the obligations.

3 It's right up on the board  
4 if...

5 MS. HENN: Do you have the  
6 document?

7 THE WITNESS: Yeah, but  
8 it's page -- 563 --

9 MR. KENNEDY: I'm sorry,  
10 Page 3.

11 THE WITNESS: -- only has 11  
12 pages, so it can't be on Page 12.

13 MS. HENN: Page 3.

14 THE WITNESS: Okay. Thank  
15 you.

16 BY MR. KENNEDY:

17 Q. Page 3.

18 A. Okay.

19 Q. This is the agreement again.  
20 This is your -- McKesson's agreement with  
21 the DEA in 2008 after paying the  
22 \$13 million fine. This is what they  
23 agreed with respect to reviewing folks  
24 that went over the thresholds.

1                   The red line, orders that  
2   exceed thresholds, it says, "Establish  
3   thresholds and criteria, will be reviewed  
4   by a McKesson trained to detect  
5   suspicious orders for the purposes of  
6   determining whether, I, such orders  
7   should be not filled and reported to the  
8   DEA, or II, based upon a detailed review  
9   the order is for a legitimate purpose and  
10   the controlled substances are not likely  
11   to be diverted into other than legitimate  
12   scientific or industrial channels."

13                  Now, from what you've told  
14   me, and from what the CEO from your  
15   company told Congress, you took this  
16   seriously, right, this is important.

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

[illegible]

21 Q. And it was for oxycodone.  
22 That drug is in the middle of this  
23 crisis, is it not, sir?

24 A. Oxycodone is one of the

<sup>1</sup> drugs in this crisis, yes.

2 Q. Not just one of them, sir.

3 It's in the middle of the crisis. Right?

4           A.       Well, I mean it -- I can't  
5       say that oxycodone was any worse than  
6       hydrocodone. They were -- You know, it  
7       depends on the area of the country.

[illegible]



The diagram illustrates a hierarchical structure with 20 levels, represented by rows. Each row consists of a small square on the left and a horizontal bar to its right. The bars vary in their vertical position and horizontal extent, indicating different levels of detail or focus. The top row has a bar spanning the entire width. The second row has a bar spanning most of the width. The third row has a bar spanning about two-thirds of the width. The fourth row has a bar spanning about one-third of the width. The fifth row has a bar spanning about two-thirds of the width. The sixth row has a bar spanning about one-third of the width. The seventh row has a bar spanning about two-thirds of the width. The eighth row has a bar spanning about one-third of the width. The ninth row has a bar spanning about two-thirds of the width. The tenth row has a bar spanning about one-third of the width. The eleventh row has a bar spanning about two-thirds of the width. The twelfth row has a bar spanning about one-third of the width. The thirteenth row has a bar spanning about two-thirds of the width. The fourteenth row has a bar spanning about one-third of the width. The fifteenth row has a bar spanning about two-thirds of the width. The sixteenth row has a bar spanning about one-third of the width. The seventeenth row has a bar spanning about two-thirds of the width. The eighteenth row has a bar spanning about one-third of the width. The nineteenth row has a bar spanning about two-thirds of the width. The twentieth row has a bar spanning about one-third of the width.

20 Q. Let's change -- let me --  
21 let me ask you how serious these  
22 investigations were at McKesson.

23 MR. KENNEDY: Give me 5039.

24 MS. ROZMAN: Identified as

1 MCK Oriente 566.

2 (Document marked for  
3 identification as Exhibit  
4 MCK-Oriente-566.)

5 BY MR. KENNEDY:

6 Q. This is an e-mail from Jake  
7 Kramer. Who is Jake Kramer?

8 A. Jake Kramer was the  
9 distribution manager in Denver  
10 distribution center.

11 Q. He's sending an e-mail on  
12 February 28, 2012 to Robert Perrich,  
13 true?

14 A. Yes. I don't know what  
15 position Robert Perrich held or holds.

[REDACTED]

[illegible]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16 MR. KENNEDY: Let's go to  
17 5042.

18 MS. ROZMAN: MCK Oriente  
19 569.

20 (Document marked for  
21 identification as Exhibit  
22 MCK-Oriente-569.)

23 BY MR. KENNEDY:

24 Q. Sir, this is an e-mail from





23 MR. KENNEDY: Give me 5040  
24 please.

1 MS. ROZMAN: Identified as  
2 MCK Oriente 567.

3 (Document marked for  
4 identification as Exhibit  
5 MCK-Oriente-567.)

6 BY MR. KENNEDY:

7 Q. This e-mail string --

8 MS. HENN: Hang on. Sorry,  
9 I haven't gotten it to him yet,  
10 Counsel.

11 THE WITNESS: Thank you.

12 BY MR. KENNEDY:

13 Q. Do you see the e-mail, it  
14 starts at the bottom. The first e-mail  
15 is from Tom McDonald to Jake Kramer. Who  
16 is Tom McDonald?

17 A. Tom McDonald is the director  
18 of regulatory affairs, was the director  
19 of regulatory affairs in the West region.  
20 He now has responsibility for the SoCal  
21 distribution center and Sacramento  
22 distribution center. Two DCs only in the  
23 West now.



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■ [REDACTED] [REDACTED]  
■ [REDACTED] [REDACTED]  
■ [REDACTED]  
■ [REDACTED]  
■ [REDACTED]

6 BY MR. KENNEDY:

7 Q. So yeah, let's go back, now  
8 that you bring up this 2013.

9 2008, McKesson gets fined  
10 \$13 million for not reporting suspicious  
11 orders, correct?

12 A. Yes.

13 Q. Now, they say we're going to  
14 change things around here. We're  
15 changing it, we're putting in a new  
16 program.

17 And five years later, in  
18 2013, now you're shutting programs down,  
19 correct, now you're shutting folks down  
20 and you're getting shut down in 2013.

21 MS. HENN: Objection to  
22 form.

23 THE WITNESS: I'm not aware  
24 where we were shut down as far --

1 I mean in my distribution centers  
2 in the Northeast I believe we had  
3 certain DCs that could not ship  
4 controls, yes.

5 BY MR. KENNEDY:

6 Q. And were you sanctioned  
7 again in 2013?

8 A. Yes.

9 Q. So 2008, we're going to turn  
10 over a new leaf and put in a new program.  
11 And so you were sanctioned, you got a  
12 problem again in 2013. And then in 2017,  
13 sir, you pay a \$150 million fine for once  
14 again not reporting suspicious orders.  
15 Is that true?

16 MS. HENN: Objection to  
17 form.

18 THE WITNESS: I don't know  
19 the exact year that it was paid.  
20 But yes, I know we paid a fine of  
21 about \$150 million.

22 BY MR. KENNEDY:

23 Q. So '08 we're going to do it  
24 right. Then in 2013 you are still not

1     doing it right. And then in 2017,  
2     \$150 million fine because you're still  
3     not doing it right. And now we are in  
4     2018. Is that the sequence of your  
5     interactions with the DEA with respect to  
6     their actions and their sanctions and  
7     your fines, sir?

8                     MS. HENN: Objection to  
9                     form.

10                    THE WITNESS: I believe  
11                    there were two fines paid by  
12                    McKesson. So what you're  
13                    referring to I believe was in '08,  
14                    and then the second one was paid  
15                    in 2017 that -- that I'm  
16                    referencing. I don't know of  
17                    three. You mentioned '8, '13 and  
18                    '17.

19     BY MR. KENNEDY:

20                    Q. I want to talk a little bit  
21                    about these regional national accounts.  
22                    Those are the big customers, right?

23                    A. Yes. Yes.

24                    Q. Those are the ones where

1 McKesson makes its most money?

2 A. Again, sir, I'm not in sales  
3 so I don't know where we're making more  
4 profit, whether it's an independent or  
5 retail national accounts. I don't look  
6 at the dollars and cents.

7 Q. The majority of your  
8 customers, if we look at individual  
9 pharmacies, are the majority of them part  
10 and parcel of regional national accounts,  
11 the big chains?

12 MS. HENN: Objection to  
13 form.

14 BY MR. KENNEDY:

15 Q. Would that -- would that be  
16 true?

17 A. Could you repeat the  
18 question?

19 Q. Are the majority of your  
20 pharmacies part of regional national  
21 accounts, the big chain pharmacies?

22 MS. HENN: Objection to  
23 form.

24 THE WITNESS: I don't know

1           the amount of the small  
2           independent customers. I know in  
3           the retail national accounts we  
4           have close to 20,000 registrants.

5       BY MR. KENNEDY:

6           Q.     20,000. When you entered  
7           into this settlement in 2008 with the DEA  
8           and the Department of Justice, and you  
9           instituted this new program, in addition  
10          to identifying suspicious orders, you  
11          told the DEA that you would institute a  
12          program of knowing your customer. True?

13          A.     Yes.

14          Q.     In fact, if we look at the  
15          program that was put together, you  
16          emphasize, we're going to -- we're  
17          looking at suspicious orders with  
18          thresholds. But in order to prevent  
19          diversion, to control the flow of opioids  
20          into the country, we're going to know our  
21          customer, right?

22          A.     That was part of it, yes,  
23          sir.

24                       MR. KENNEDY: We want to

1 look at 512. Is that one of --

2 MS. ROZMAN: Well, it's  
3 Exhibit 62 now.

4 MR. KENNEDY: 62. Look at  
5 62, and it's 345.

6 MS. HENN: I'm sorry, which?

7 THE WITNESS: 62, this one.

8 MS. ROZMAN: It's  
9 Exhibit 62.

10 MS. HENN: 562?

11 MR. KENNEDY: Yeah, and it's  
12 our P-345. This is the first --

13 THE WITNESS: Is this the  
14 one?

15 MS. ROZMAN: No, no. It's  
16 Exhibit 62.

17 MR. KENNEDY: You can just  
18 look up if you want.

19 THE WITNESS: Oh, oh. It's  
20 that one.

21 BY MR. KENNEDY:

22 Q. We're just going to read the  
23 first page. It's up on the screen.

24 MS. HENN: Just a second,

<sup>1</sup> we'll get it.

2 THE WITNESS: Yeah, 62.

3 BY MR. KENNEDY:

\_\_\_\_\_

Response	Percentage
Not responsible	10%
Somewhat responsible	20%
Somewhat responsible	30%
Responsible	40%

\_\_\_\_\_

Government	Percentage
Current government	85%
Previous government	15%

\_\_\_\_\_

\_\_\_\_\_

Age Group	Percentage
18-24	10%
25-34	20%
35-44	30%
45-54	25%
55-64	15%
65-74	10%
75-84	5%
85+	5%

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\_\_\_\_\_

[illegible]

Response	Percentage
Doing a good job	45%
Not doing a good job	55%

1	2	3
---	---	---

\_\_\_\_\_

\_\_\_\_\_



■	[REDACTED]	[REDACTED]
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

12 Q. But if a big chain like CVS  
13 breaches their threshold, the call went  
14 to their corporate headquarters, their  
15 regulatory department, their oversight  
16 department. Correct?

17 A. Yes, I believe that's how it  
18 worked.

19 Q. So if a CVS store in Idaho  
20 places an order above their threshold,  
21 you are calling Providence, Rhode Island.  
22 You are calling the corporate office with  
23 respect to that Level 1 --

24 MS. HENN: Objection to

1 form.

2 BY MR. KENNEDY:

3 Q. -- to find out what's going  
4 on in Idaho, correct?

5 MS. HENN: Objection to  
6 form.

7 THE WITNESS: Right.

8 Because they had -- they perform  
9 their own due diligence internal  
10 regulatory review.

11 BY MR. KENNEDY:

12 Q. Okay. I'm going to write  
13 that down. I got a paper.

14 MS. ROZMAN: We're going to  
15 mark as MCK Oriente 574.

16 MR. KENNEDY: I'm going to  
17 put that up please.

18 (Document marked for  
19 identification as Exhibit  
20 MCK-Oriente-574.)

21 BY MR. KENNEDY:

22 Q. So these national chains,  
23 the big customers, the CVS, they do their  
24 own due diligence, they've got their own

1 regulatory department, correct?

2 A. Yes.

3 Q. And CVS, now that's a  
4 customer that you're doing over  
5 \$10 billion worth of business with,  
6 right?

7 MS. HENN: Objection to  
8 form.

9 THE WITNESS: Again, sir, I  
10 don't know the exact dollar amount  
11 that McKesson does with each  
12 chain.

13 BY MR. KENNEDY:

14 Q. Let me ask you, sir, real  
15 simple question.

16 If you're going to rely upon  
17 somebody like CVS to do the due  
18 diligence, you want to make sure they are  
19 doing a good job, don't you?

20 A. We want to make sure they  
21 are following the requirements  
22 established for them, yes.

23 Q. I mean that's -- you've got  
24 to make sure.

1 A. Yeah, we -- yes.

2 Q. Sir, in 2010, do you  
3 understand CVS paid a \$77 million penalty  
4 in California, do you know that?

5 A. In California, I was not  
6 aware. I knew they did in Florida have  
7 some stores. But I wasn't aware of  
8 California.

9 MR. KENNEDY: 505, please.  
10 5005.

11 MS. ROZMAN: Identified as  
12 MCK --

13 MR. KENNEDY: 5 -- yeah,  
14 5005.

15 MS. ROZMAN: MCK Oriente  
16 535.

17 (Document marked for  
18 identification as Exhibit  
19 MCK-Oriente-535.)

20 BY MR. KENNEDY:

21 Q. Here's -- this is from the  
22 New York Times. "CVS to pay penalty in  
23 methamphetamine case," 2010, New York  
24 Times.

1 Folks at McKesson get the  
2 New York Times, right?

3 A. Sir, I don't know what  
4 newspapers they do get. I know I have  
5 not seen this before.

6 Q. Well, "CVS Caremark has  
7 agreed to pay \$77.6 million to settle an  
8 investigation that its drug stores  
9 allowed widespread sales of cough  
10 medicines used to manufacture the  
11 stimulant methamphetamine." That's a  
12 street drug, right, highly addictive,  
13 kills people. Is that right? You know  
14 what methamphetamine is.

15 A. Yes.

16 MS. HENN: Objection to  
17 form.

18 THE WITNESS: Yes, it's made  
19 from cough medicines.

20 BY MR. KENNEDY:

21 Q. So CVS Pharmacy, a  
22 subsidiary, acknowledged that it had sold  
23 pseudoephedrine to criminals who used it  
24 to make meth. Do you see that?

1           A.       Yeah, that's highlighted  
2       here in Paragraph 2.

```

graph TD
    Root[Introduction] --> Background[Background]
    Root --> Methodology[Methodology]
    Root --> Results[Results]
    Background --> LitRev[Literature Review]
    Background --> TheoFram[Theoretical Framework]
    Methodology --> DataCol[Data Collection]
    Methodology --> DataAnal[Data Analysis]
    Results --> Findings[Findings]
    Results --> Conclusions[Conclusions]
  
```



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■		■	[REDACTED]
■	[REDACTED]		[REDACTED]
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■		[REDACTED]	[REDACTED]
■		[REDACTED]	[REDACTED]

■ [REDACTED]

2 BY MR. KENNEDY:

3 Q. But look at -- you have the  
4 duty to know your customer. And if your  
5 customer pays a \$77.6 million fine,  
6 McKesson ought to know about that, they  
7 have the duty to know their customer.  
8 And this is their biggest customer,  
9 right?

10 MS. HENN: Objection to  
11 form.

12 BY MR. KENNEDY:

13 Q. Yes?

14 A. This may -- this may have  
15 been known by McKesson, sir. It was not  
16 known by me, being responsible for the  
17 Northeast region that in California they  
18 paid this fine.

19 MR. KENNEDY: Give me 5004,  
20 please.

21 MS. ROZMAN: Identified as  
22 MCK Oriente 534.

23 (Document marked for  
24 identification as Exhibit



1                   A.       Yes, they are.

2                   Q.       Thank you. Now, does it  
3       state here, "Story highlights. The DEA  
4       says two pharmacies ordered more than  
5       3 million oxycodone units in a year. A  
6       typical pharmacy orders 69,000 units a  
7       year." And they ordered 3 million. Do  
8       you see that? Did I read that right?

9                   A.       Yes.

10                  Q.       And then it states, "Agents  
11       from the Drug Enforcement Administration  
12       raided two CVS pharmacies in Central  
13       Florida over the weekend, removing  
14       controlled substances and suspending the  
15       stores' ability to handle or distribute  
16       drugs such as painkillers, oxycodone and  
17       hydrocodone."

18                               Did I read that right?

19                  A.       Yes.

20                  Q.       And sir, can we agree that  
21       if McKesson has the duty to know its  
22       customers, they certainly should have  
23       known about this, right?

24                  A.       We did know about -- we

1 heard about this. Are these two  
2 customers with McKesson in Florida?

3 Q. Did you know about this with  
4 respect to McKesson, sir? Did you know  
5 about this --

6 A. I heard --

7 Q. Did you hear about this?

8 A. I heard about this, yes.

9 Q. All right. And let me ask  
10 you this, sir.

11 A. And again --

12 MS. HENN: Counsel.

13 Counsel --

14 THE WITNESS: Can I finish,  
15 please?

16 BY MR. KENNEDY:

17 Q. I just asked you if you  
18 heard about it and the answer was yes.

19 MS. HENN: Counsel, he had  
20 something else to say.

21 MR. KENNEDY: But he can't  
22 give speeches. You have to answer  
23 my questions.

24 MS. HENN: He's not giving

1 speeches. He's trying to answer.

2 BY MR. KENNEDY:

3 Q. My -- my question is very  
4 simple. Did you hear about this?

5 MS. HENN: Asked and  
6 answered.

7 THE WITNESS: I heard about  
8 the two stores in Florida, yes.

9 BY MR. KENNEDY:

10 Q. And my question to you now  
11 is, at this point in time, in 2012, after  
12 finding out this, did you folks sit down  
13 and say maybe we shouldn't be letting CVS  
14 monitor themselves out of their corporate  
15 headquarters in Rhode Island, maybe we  
16 should monitor them when they exceed  
17 their threshold?

18 MS. HENN: Objection.

19 BY MR. KENNEDY:

20 Q. Did anybody sit down and  
21 have that kind of meeting in 2012?

22 MS. HENN: Objection to  
23 form.

24 BY MR. KENNEDY:

1 Q. Did you go to such a  
2 meeting?

3 A. That -- I did not go to such  
4 a meeting. That type of meeting would  
5 have been handled by our senior vice  
6 president Don Walker.

7 Q. Did anybody come to you and  
8 say this meeting occurred, even if you  
9 didn't go to it?

10 A. I don't recall if one did  
11 occur.

12 Q. And if you can give me --  
13 this resulted in a \$22 million fine. Do  
14 you understand that, to CVS, a  
15 \$22 million fine?

16 A. Yes, I am aware.

17 Q. So at this point CVS has  
18 paid \$150 million in 2010, and now  
19 another \$22 million in 2012. Right? And  
20 they are your biggest customer, they are  
21 the biggest customer of McKesson, are  
22 they not?

23 MS. HENN: Objection to  
24 form.

1 THE WITNESS: I do not know  
2 who our largest customer is, sir.

3 BY MR. KENNEDY:

4 Q. By 2012, you're doing  
5 \$19 billion worth of business with CVS.  
6 You didn't know that?

7 MS. HENN: Objection to  
8 form.

9 THE WITNESS: No, sir. I  
10 don't look at dollars with  
11 customers. I am not in sales.

12 BY MR. KENNEDY:

13 Q. Let's go to -- let's go to  
14 2013.

15 MR. KENNEDY: If you can  
16 give me 305, please.

17 MS. ROZMAN: Identified MCK  
18 Oriente 511.

19 (Document marked for  
20 identification as Exhibit  
21 MCK-Oriente-511.)

22 BY MR. KENNEDY:

23 Q. Now, this is -- this is a  
24 publication by the United States



1 Attorney's Office. Do you see that?

2 A. Yes.

3 Q. And the date is April 3,  
4 2013. Correct?

5 A. Yes.

6 Q. You see -- the headline is  
7 "CVS to pay 11 million to settle civil  
8 penalty claims involving violations of  
9 the Controlled Substances Act."

10 And then it states, "The  
11 United States has alleged that from  
12 October 6, 2005, to October 5th of 2011,  
13 CVS pharmacy stores in Oklahoma and  
14 elsewhere violated the Controlled  
15 Substances Act and the recordkeeping  
16 regulations by creating, entering, and  
17 maintaining invalid dummy DEA  
18 registration numbers or numbers other  
19 than the valid DEA registration number of  
20 the prescribing practitioner on  
21 dispensing records, which were at times  
22 provided to state prescription drug  
23 monitoring programs."

24 Did I read that right?

1           A.       That is what is written  
2     here.

3           Q.       And these CVS stores in  
4     several states, Oklahoma and elsewhere  
5     were filling prescriptions for certain  
6     prescribers whose DEA registration  
7     numbers were not current or valid. Did  
8     you see that?

9           A.       Yes.

10          Q.       And in knowing your customer  
11     as was your obligation, McKesson should  
12     have known about this \$11 million fine,  
13     right?

14                   MS. HENN: Objection to  
15     form.

16     BY MR. KENNEDY:

17          Q.       Is that right? They should  
18     have known about it. They had the duty  
19     to know their customers. And this is an  
20     \$11 million fine. They should have known  
21     about this. True?

22                   MS. HENN: Objection to  
23     form.

24                   THE WITNESS: They --

1           McKesson may have known about  
2           this. I can't say.

3       BY MR. KENNEDY:

4           Q.       Well, I'm not talking about  
5           whether they did or they didn't.

6                   MS. HENN: Counsel, please.

7       BY MR. KENNEDY:

8           Q.       My question is real simple:  
9           Should they?

10                   MS. HENN: Let him finish  
11           his sentences.

12                   MR. KENNEDY: But I want him  
13           to answer my question.

14       BY MR. KENNEDY:

15           Q.       Go ahead.

16                   MS. HENN: I know it's late  
17           in the day, but it's basic --

18       BY MR. KENNEDY:

19           Q.       Here's my question. I'm --  
20           we'll start all over.

21                   Would you agree that  
22           pursuant to McKesson's obligation to know  
23           their customer, they should have known  
24           about this \$11 million fine in Oklahoma?

1 MS. HENN: Objection to  
2 form.

3 THE WITNESS: I -- I can't  
4 say that McKesson didn't know  
5 about this. At a -- at a higher  
6 level than me they may have been  
7 aware of this.

8 BY MR. KENNEDY:

9 Q. And they should have been,  
10 correct?

11 MS. HENN: Objection to  
12 form.

13 THE WITNESS: They --

14 BY MR. KENNEDY:

15 Q. They should have been.

16 A. They should have and could  
17 have. I do not know if, you know, the --  
18 the vice president that I reported into  
19 knew about this. I'm sure that he may  
20 have. But for me to be in the Northeast  
21 region and to know about Oklahoma, I'm  
22 not -- I'm not going to be aware of that.

23 Q. I'm going to ask you. It's  
24 2013. Now, did -- did anybody above you



■

■

■

2 MR. KENNEDY: Give me 301,  
3 please. Now it's 2015.

4 MS. ROZMAN: MCK Oriente  
5 507.

6 (Document marked for  
7 identification as Exhibit  
8 MCK-Oriente-507.)

9 BY MR. KENNEDY:

10 Q. Now, it's 2015, sir. 2015.  
11 Now we've got a -- we've got a  
12 publication here again by the United  
13 States Attorney's Office, do we not?

14 A. Yes.

15 Q. And this, this headline, and  
16 this is from August 10, 2015, correct?

17 A. Yes.

18 Q. And the quote is, or excuse  
19 me, the headline is "Drug diversion  
20 claims against CVS Health Corp. resolved  
21 with \$450,000 civil settlement." Do you  
22 see that?

23 A. Yes.

24 Q. And then it says, the first

1 paragraph, "Pharmacy chain CVS Health  
2 Corp. has agreed to pay \$450,000 to  
3 resolve the United States' allegations  
4 that several of its Rhode Island stores  
5 violated the federal Controlled  
6 Substances Act by filling invalid  
7 prescriptions and maintaining deficient  
8 records." Do you see that?

9 A. Yes.

10 Q. Let me ask you, who in the  
11 regulatory department was in charge of  
12 CVS?

13 A. In August of 2015 I believe  
14 it may have been Tom McDonald.

15 Q. And who was in charge in  
16 2012?

17 A. I'm not certain if it was me  
18 or Tom.

19 Q. And who was in charge in  
20 2010?

21 A. I'm not certain if it was me  
22 or Tom. We switched accounts sometime  
23 during that time frame.

24 MR. KENNEDY: Give me 297

1                   please.

2                   MS. ROZMAN: Identified as  
3                   MCK Oriente 504.

4                   (Document marked for  
5                   identification as Exhibit  
6                   MCK-Oriente-504.)

7 BY MR. KENNEDY:

8                   Q. Another publication by the  
9                   United States Attorney's Office. Do you  
10                  see here McKesson, excuse me, CVS is  
11                  paying an \$8 million fine to settle  
12                  allegations for unlawful distribution of  
13                  controlled substances. Do you see that?

14                  A. Yes.

15                  MR. KENNEDY: Give me 300,  
16                  please.

17                  MS. ROZMAN: MCK Oriente  
18                  506.

19                  (Document marked for  
20                  identification as Exhibit  
21                  MCK-Oriente-506.)

22 BY MR. KENNEDY:

23                  Q. Now, it's 2016. Publication  
24                  by the United States Attorney's Office,



1 District of Massachusetts. Headline,  
2 "CVS to pay \$3.5 million to resolve  
3 allegations that pharmacists filled fake  
4 prescriptions." Do you see that, sir?

5 A. Yes.

6 Q. And you're in charge of CVS  
7 by this time, aren't you?

8 A. 2016, yes.

9 Q. So you knew about this,  
10 right, because you've got a duty to know  
11 your customer. You knew about this,  
12 right?

13 A. I don't recall if I saw this  
14 precise document.

15 MR. KENNEDY: Give me 296,  
16 please.

17 MS. ROZMAN: McKesson -- MCK  
18 Oriente 503.

19 (Document marked for  
20 identification as Exhibit  
21 MCK-Oriente-503.)

22 BY MR. KENNEDY:

23 Q. Now, it's 2017. We have  
24 another publication by the United States

1 Attorney's Office, Eastern District of  
2 California. Correct? Do you see that?

3 A. Yes.

4 Q. And the headline reads, "CVS  
5 Pharmacy pays \$5 million to settle  
6 alleged allegations of the Controlled  
7 Substances Act." Do you see that, sir?

8 A. Yes.

9 MR. KENNEDY: Give me 5007  
10 please.

11 MS. ROZMAN: MCK Oriente  
12 537.

13 (Document marked for  
14 identification as Exhibit  
15 MCK-Oriente-537.)

16 MS. HENN: And Counsel, just  
17 to note, I believe we have about  
18 five minutes left.

19 BY MR. KENNEDY:

20 Q. Mr. Oriente, this is a chart  
21 that we created of CVS, DEA, Department  
22 of Justice settlements between 2010 and  
23 2016 that we've been talking about.

24 In a six-year period, CVS

1     paid \$130.6 million worth of fines for  
2     violating the Controlled Substances Act  
3     at the pharmacy level. Do you see this,  
4     sir?

5             A.     Yes, I see that.

6             Q.     And let me ask you, at any  
7     single point in time, did anybody, did  
8     anybody above you, around you, say we  
9     need to have a meeting because maybe,  
10    maybe we shouldn't be letting CVS  
11    corporate monitor themselves?

12            MS. HENN: Objection to  
13            form.

14    BY MR. KENNEDY:

15            Q.     Did anybody ever hold that  
16    meeting, sir?

17            MS. HENN: Objection to  
18            form.

■                    [REDACTED]           [REDACTED]

■                    [REDACTED]

■                    [REDACTED]           ■

■                    [REDACTED]

■                    [REDACTED]

■                    [REDACTED]

The diagram consists of 28 horizontal bars arranged vertically. The bars vary in their starting and ending horizontal positions, creating a complex, overlapping pattern. The bars are arranged in a way that suggests a flow or sequence of events, with some bars starting at different points and ending at different points, creating a complex, overlapping pattern. The bars are arranged in a way that suggests a flow or sequence of events, with some bars starting at different points and ending at different points, creating a complex, overlapping pattern.



The diagram consists of a vertical list of 26 items, each represented by a small square icon followed by a horizontal bar. The bars vary in length and position, indicating different levels of detail or expansion for each item. The items are arranged in a single column, with the bars extending to the right. The bars are of varying lengths, with some being very short and others being long enough to span most of the width of the diagram. The bars are positioned at different vertical levels, with some starting further to the right than others. This visual representation likely corresponds to the hierarchical structure of the text provided, where some items are more detailed than others.

■ [REDACTED]

2 MR. KENNEDY: Thank you. I  
3 got nothing further.

4 MS. HENN: I'm going to have  
5 some questions so I suggest we go  
6 off the record.

7 THE VIDEOGRAPHER: Stand by  
8 please. The time is 5:42 p.m.  
9 Going off the record.

10 (Short break.)

11 THE VIDEOGRAPHER: We are  
12 back on the record. The time is  
13 5:54 p.m.

14 - - -

15 EXAMINATION

16 - - -

17 BY MS. HENN:

18 Q. Mr. Oriente, you testified  
19 earlier today that you joined McKesson in  
20 2004, is that correct?

21 A. Yes. 2004.

22 Q. And before joining McKesson  
23 you worked as the director of operations  
24 and distribution at Eckerd?

1                   A.       Yes.

2                   Q.       When you joined McKesson you  
3       were the director of operations for the  
4       Delran, New Jersey, distribution center,  
5       is that correct?

6                   A.       That is correct.

7                   Q.       And in 2007 you became  
8       director of regulatory affairs overseeing  
9       a number of distribution centers?

10                  A.       Yes. The Northeast region.

11                  Q.       Why did you move into  
12       regulatory affairs?

13                  A.       Part of the responsibility  
14       of the director of operations is to be  
15       required to monitor and oversee the  
16       maintaining of records in the controlled  
17       substance. So besides having total  
18       responsibility for the distribution  
19       center, the DEA requirements are also  
20       part of that.

21                               We were given the lifestyle  
22       drug monitoring program to oversee as  
23       part of our overall responsibilities.  
24       And I found it very interesting to



1 monitor and look at what customers were  
2 purchasing and the analytics that went  
3 into it.

4 So when the newly created  
5 positions were rolled out, I was  
6 interested in moving into the regulatory  
7 department. It was a little more  
8 analytical than -- than running the  
9 distribution center.

10 Q. And you said you found it  
11 interesting to see how pharmacies were  
12 purchasing. Why did you find that  
13 interesting?

14 A. I found that interesting to  
15 do the research and to look at how they  
16 were ordering controls versus  
17 non-controls, the type of business that  
18 they had. More interactions with  
19 customers. And also just -- it was such  
20 an important topic at that time, I felt  
21 it was definitely something I wanted to  
22 get involved with.

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■ [REDACTED]  
■ [REDACTED]  
■ [REDACTED]

4 Q. Could you describe the  
5 relationship you've had with the DEA over  
6 the course of your career in McKesson  
7 regulatory affairs?

8 A. Yes. I felt that my  
9 relationship with DEA was very good.  
10 When I started in '07 in regulatory, our  
11 Delran distribution center was always one  
12 where the DEA paid compliments to when  
13 they came in to do their cyclical audits.  
14 Our recordkeeping was always good. Our  
15 inventory was good. So the local DEA  
16 office over my distribution center was  
17 always satisfied with what we were doing.

18 When I went into regulatory  
19 I dealt with the Washington D.C. office  
20 that oversaw Landover. I dealt with the  
21 New York office, as well as the New  
22 Jersey office and the Pittsburgh office  
23 of DEA, and the Rocky Hill office. And  
24 would have conversations with different

1     DEA agents when we were either calling to  
2     report a customer or sending them a  
3     letter notifying them that we cut  
4     customers off.

5             Q.     And what happened when you  
6     communicated to DEA in those instances  
7     about a pharmacy?

8             A.     DEA would basically say  
9     thank you for the information. And then  
10    that was really the end of it. It was  
11    not a two-way communication. We would  
12    give them the information of a  
13    particular -- either a pharmacy or maybe  
14    a doctor that we saw a lot of activity  
15    on.

16                    They would again thank us  
17    for the information. That was pretty  
18    much the end of what we heard unless we  
19    heard about it in the news later on if  
20    there was additional action taken. But  
21    we were never, you know, communicated  
22    back on, on anything that we submitted.

23             Q.     Tell me your mission and  
24    responsibilities in McKesson's regulatory



1       that increase.

2                   Q.       How would you describe  
3       McKesson's culture in the area of  
4       compliance and regulatory affairs?

5                   A.       I would say that McKesson  
6       has a corporate culture, they call it  
7       ICARE, I-C-A-R-E. It's integrity,  
8       customer focused, and then  
9       accountability, respect and excellence.  
10      I find that McKesson is a very -- they  
11      look at accountability and respect and  
12      excellence of the job that we do.

13                   As I mentioned earlier, I  
14      take -- took my job, take my job very  
15      seriously. I know that I play an  
16      important role in the monitoring of sales  
17      of controlled substances. I take that  
18      responsibility very personally.

19                   I think that McKesson has a  
20      very high ethics group when it comes to  
21      integrity in what we do.

22                   MS. HENN: I have no further  
23                   questions.

24                   MR. PAPANTONIO: Sir, I've

1 got a few questions.

2 Would you please put up

3 Document Number 324.

4 - - -

5 EXAMINATION

6 - - -

7 BY MR. PAPANTONIO:

8 Q. I want to ask you about,  
9 sir, while you were evolving to where you  
10 say you've been evolving. Is that what  
11 you said?

12 MS. HENN: Objection to  
13 form.

14 THE WITNESS: I -- I believe  
15 I said that our program is  
16 continuously improving.

17 BY MR. PAPANTONIO:

18 Q. Okay. Let's look at --  
19 let's look at how many people have been  
20 dying across the United States while  
21 you've been evolving. Let's take a look  
22 at that.

23 MR. PAPANTONIO: 324 please.

24 (Document marked for

1 identification as Exhibit

2 MCK-Oriente-060.)

3 BY MR. PAPANTONIO:

4 Q. Now, sir, I'm wondering, you  
5 have surely seen the -- what I call the  
6 death map. Have you seen the death map?

7 A. Not that exact document, no.

8 Q. You've not seen -- you've  
9 not seen this?

10 A. Not the death map, no.

11 Q. Is that right? Why don't  
12 you take a look at what I call the death  
13 map. Okay.

14 MS. HENN: Counsel, do you  
15 have copies?

16 MR. PAPANTONIO: Give --  
17 give a copy to the lawyers,  
18 please.

19 BY MR. PAPANTONIO:

20 Q. Now, let's look at this  
21 death map. Take a look at it. And tell  
22 me, is this the first time you've seen  
23 this.

24 MS. MOORE: That's McKesson



1 Oriente 60.

2 THE WITNESS: No, I have  
3 not --

4 BY MR. PAPANTONIO:

5 Q. Have you ever seen the death  
6 map?

7 A. No, I've not seen the death  
8 map.

9 Q. Before you came in here to  
10 testify, nobody showed you the death map,  
11 did they?

12 A. No.

13 Q. Well, let's do this realtime  
14 on the death map. Do you see, do you see  
15 down on the death map, if you'll take a  
16 look at the first -- the first very part  
17 of the death map, do you see where it  
18 has, do you see this area, this grey all  
19 the way to, it looks like a light brown.  
20 Do you see that right there?

21 A. What -- what number are you  
22 referring to, 10?

23 Q. I'm referring to 1999. Do  
24 you see up in the corner, sir? You may

1       want to look up here --

2               A.       You said grey, but I --  
3       there's a couple of shades here and I  
4       want to make sure I'm looking at the same  
5       one you are.

6               Q.       Okay.

7               A.       So there's a number to the  
8       right of it. Is that the 10?

9               Q.       Yeah.

10              A.       Okay.

11              Q.       Yeah, that's it.

12              A.       Thank you.

13              Q.       So, so this is the number of  
14       deaths that started as you were evolving  
15       as a company and trying to figure out how  
16       to evolve. Let's talk about the  
17       evolution of death.

18                      1999. Turn to the next  
19       page. Do you see that area around West  
20       Virginia? Can -- do you know where West  
21       Virginia is on a map?

22              A.       Yes, sir, right in this  
23       area.

24              Q.       Do you know where Ohio is on

1 a map?

2 A. Up here.

3 Q. And what -- tell me what  
4 color that is.

5 A. Color for which state?

6 Q. Either one. West Virginia  
7 or --

8 A. Ohio is in the blue shades.  
9 West Virginia is in the tan shades.

10 Q. Okay. Let's talk about the  
11 tan shades then, since we've got a lot to  
12 talk about on the evolution of the death  
13 map.

14 This is 1999 is where the  
15 death map starts, correct?

16 A. Yes.

17 Q. And then the death map goes  
18 to 20, goes to 2000, correct?

19 A. Yes.

20 Q. Does that -- does that tan  
21 shade get better, that area you're  
22 supposed to be in charge of, does that  
23 get bigger?

24 MS. HENN: Objection to

1 form.

2 BY MR. PAPANTONIO:

3 Q. Take a look at it. If it  
4 doesn't, tell me it doesn't. We'll let  
5 the jury decide.

6 Does it get bigger in 2000,  
7 the death map?

8 MS. HENN: Objection to  
9 form.

10 BY MR. PAPANTONIO:

11 Q. Does it get bigger, sir?

12 A. It looks to stay almost the  
13 same.

14 Q. Okay. Well, let's move on.  
15 Let's look at -- okay. Let's focus just  
16 on tan. How about we do that.

17 Now, how about let's go to  
18 2001. Does 2001 on the death map, is  
19 that area bigger or smaller than 19 --  
20 the 1999, on the death map?

21 A. It's increased somewhat.

22 Q. Increased. Okay. Let's  
23 look at 2002. This is the area that you  
24 were in charge of, correct?

1 MS. HENN: Objection to  
2 form.

3 THE WITNESS: Not the full  
4 area of West Virginia, no.

5 BY MR. PAPANTONIO:

6 Q. Well, do you see the West  
7 Virginia area, 2002, take a look at it.

8 A. I see the West Virginia area  
9 in 2002. I did not have the entire state  
10 of West Virginia.

11 Q. Well, we can look at that  
12 and tell West Virginia has now moved from  
13 just tan, they've gone all the way down  
14 to, they've got all the way to brown.  
15 Tell me what the deaths are for brown,  
16 what does that represent, 30 deaths?

17 MS. HENN: Objection to  
18 form.

19 BY MR. PAPANTONIO:

20 Q. 30 deaths per 100,000  
21 people?

22 A. To this rig chart. 30 plus.

23 Q. Yeah, so 30 plus people in  
24 2001 in that, in West Virginia. Correct?

1 Let's go to 2002 --

2 A. Per 100, per 100,000.

3 Q. Per 100,000 people.

4 Now let's go to 2003 on the  
5 death map. Do you see that big brown  
6 spot, that big blotch there? That's West  
7 Virginia, isn't it?

8 Can you see it better now if  
9 you look up on the screen?

10 A. No, I can see it from here.

11 Q. All right. Now, what do we  
12 see there, we see brown, we see red, we  
13 see orange?

14 A. Mm-hmm.

15 Q. So colors are changing as  
16 you're trying to evolve and try to figure  
17 out how to do better after being fined  
18 \$13 million. How to do better after  
19 you've been fined \$150 million. How to  
20 do better after you have been -- after  
21 the DOJ and the DEA has investigated you.  
22 Right? As you are evolving, that's part  
23 of the evolution, correct?

24 MS. HENN: Objection to

1 form.

2 THE WITNESS: Part of our  
3 evolution was to have enhanced  
4 reports that are system generated  
5 and have systems assist us in the  
6 reviews instead of a manual  
7 process. That's part of the  
8 evolution.

9 BY MR. PAPANTONIO:

10 Q. Let's see how that works.

11 MS. HENN: And, Counsel,  
12 just -- just to let you know, you  
13 have two more minutes.

14 BY MR. PAPANTONIO:

15 Q. Okay. Then let's do this.  
16 Let's go -- since I've been told I have  
17 two minutes, let's go to Number 18. Just  
18 pull over to Page 18. We'll just  
19 compare.

20 MR. PAPANTONIO: Would you  
21 please put up -- would you put up  
22 1999 compared to 2013 since I've  
23 been told I only have how many  
24 more minutes? Two minutes. How

1                   about putting them side by side.

2       BY MR. PAPANTONIO:

3                   Q.       Look up here on the screen,  
4       sir.

5                   A.       I am.

6                             MR. PAPANTONIO:   Would you  
7                   put the next one up on the screen  
8                   for me, please.

9       BY MR. PAPANTONIO:

10                  Q.       Wow.   A lot of brown there,  
11       huh?   What does the -- what does the dark  
12       brown mean?   It means more than 30 deaths  
13       per 100,000, correct?

14                  A.       Yes.

15                  Q.       And the tan, what does that  
16       mean?

17                  A.       16 to 17.   Or 14 or 15.

18                  Q.       So do you realize what we're  
19       doing here, we're comparing what started  
20       in 1999 when you were selling pills to  
21       pharmacies, when McKesson was selling  
22       narcotics to pharmacies, the first map we  
23       see as far as people dying is the one on  
24       the left.   Do you understand that?



1 A. Yes.

2 Q. And the one on the right is  
3 what happened as late as, what's the year  
4 on that, 2013?

5 MS. MOORE: 2016.

6 BY MR. PAPANTONIO:

7 Q. 2016.

8 That map is bright red with  
9 dead people, isn't it, sir?

10 MS. HENN: Objection to  
11 form.

12 BY MR. PAPANTONIO:

13 Q. It is bright red with dead  
14 people?

15 MS. HENN: Objection to  
16 form.

17 BY MR. PAPANTONIO:

18 Q. Wouldn't you agree with  
19 that?

20 Sir, do you understand that  
21 is children, mothers, fathers, uncles,  
22 sisters and brothers. That's a  
23 statistic. But what that statistic  
24 means, and those are family members dying

1     because your company participated with  
2     CVS and Purdue and Teva and all these --  
3     Cardinal, and participated in expanding  
4     the death map from what we see on the  
5     left to what we see on the right. Are  
6     you proud of that, sir?

7                     MS. HENN: Objection to  
8                     form.

9     BY MR. PAPANTONIO:

10            Q.     Are you proud of that?

11                     MS. HENN: Objection to  
12                     form.

13                     THE WITNESS: The epidemic  
14                     is not something that I am proud  
15                     occurred. I do my job to try to  
16                     limit that.

17     BY MR. PAPANTONIO:

18            Q.     Yeah. Well, didn't you tell  
19     me McKesson has an ICARE culture. Isn't  
20     that what you said? It's ICARE culture.  
21     And I think you said it's integrity,  
22     accountability, excellence --

23                     MS. HENN: Counsel, we've  
24                     reached the end so I'd just ask

1                   you to ask your last question.

2                   MR. PAPANTONIO: I'm going  
3                   to ask the last question.

4 BY MR. PAPANTONIO:

5                   Q.       Isn't that what you told me,  
6                   on direct, isn't that what you said, the  
7                   ICARE program?

8                   A.       That is what I said.

9                   Q.       If we make a -- if we  
10                  look at --

11                  MS. HENN: All right.

12                  Counsel, we're done.

13 BY MR. PAPANTONIO:

14                  Q.       -- if you look at that map,  
15                  the ICARE policy is a disaster, isn't it?

16                  MS. HENN: I'd like to go  
17                  off the record now, sir.

18 BY MR. PAPANTONIO:

19                  Q.       If we look at that map, the  
20                  ICARE policy is a disaster. Yes or no?

21                  MS. HENN: Counsel, before  
22                  we went on the record again, you  
23                  agreed as the court ordered that  
24                  we would abide by the protocol --

1 MR. PAPANTONIO: I'm going  
2 to ask this question. You can  
3 bring it up to the judge. I want  
4 to ask this question since you  
5 have this man here.

6 MS. HENN: Counsel.

7 BY MR. PAPANTONIO:

8 Q. You said you had an ICARE  
9 program. Yes or no?

10 MS. HENN: And I'm going to  
11 tell you that this needs to be the  
12 last question.

13 MR. PAPANTONIO: Do you want  
14 to instruct him -- okay --

15 MS. HENN: I'm not  
16 instructing him not to answer.

17 MR. PAPANTONIO: Okay. This  
18 is my last question.

19 MS. HENN: Thank you, sir.

20 BY MR. PAPANTONIO:

21 Q. You said you had an ICARE  
22 program, right, that involved integrity,  
23 it involved accountability, it involved  
24 high ethics, it involved excellence.

1                   Look at these two maps and  
2   you tell me whether all that ICARE  
3   program was working between 1999 and  
4   2016?

5                   A.     The ICARE principle that we  
6   follow at McKesson, it covers all of  
7   McKesson. The fact that West Virginia  
8   deaths increased over these years, we did  
9   our monitoring, and it isn't just in West  
10  Virginia, the epidemic was widespread.

11                  Q.     Okay.

12                  A.     And we did what we could to  
13  monitor and deter that from occurring.

14                  Q.     Because like your --

15                           MS. HENN: Counsel.

16  BY MR. PAPANTONIO:

17                  Q.     Because like your CEO said,  
18  you took it seriously.

19                           MS. HENN: Counsel.

20                           MR. PAPANTONIO: I don't  
21  have any further questions.

22                           MS. HENN: Thank you, sir.

23                           THE VIDEOGRAPHER: Stand by  
24  please. The time is 6:10 p.m.

1           This marks the end of today's  
2           deposition. Off the record.

3           MR. O'CROININ: I do  
4           actually have a couple questions  
5           though.

6           (Brief pause.)

7           THE VIDEOGRAPHER: It's not  
8           the end of today's deposition, but  
9           we are going off the record. The  
10          time is 6:10 p.m.

11          (Brief pause.)

12          THE VIDEOGRAPHER: The time  
13          is 6:11 p.m. Back on the record.

14                       -   -   -

15                       EXAMINATION

16                       -   -   -

17          BY MR. O'CROININ:

18               Q.       I'm Conor O'Croinin, I  
19          represent the CVS entities in this case.

20               A.       Okay.

21               Q.       And we have never met, have  
22          we?

23               A.       No, we have not.

24               Q.       I know it's been a long day.

■	[REDACTED]	[REDACTED]
■	[REDACTED]	
■	[REDACTED]	
■	[REDACTED]	
■	■	[REDACTED]
■	■	[REDACTED]
■	[REDACTED]	
■	■	[REDACTED]
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11 MR. PAPANTONIO: Objection,  
12 leading the witness. Ask a  
13 question that's not leading.  
14 Counsel, you have him on direct  
15 right now.

16 MS. HENN: Counsel, there  
17 are no speaking objections.

18 MR. PAPANTONIO: Objection  
19 to form. Okay. We'll do it --  
20 we'll -- your question needs  
21 improving.

22 BY MR. O'CROININ:

[REDACTED]

[REDACTED]



[REDACTED]

18 Q. Are you aware of how many  
19 stores CVS has in the U.S.?

20 A. I would be guessing. I know  
21 it's in the thousands. I'm also not sure  
22 exactly how many McKesson has versus some  
23 of the other wholesalers.

24 Q. Does 10,000 sound right to

1       you?

2                   A.       I'm not -- not sure if it's  
3       that many.   Yeah.

4                   Q.       But you think it's in the  
5       thousands?

6                   A.       Oh yes.

7                   Q.       And Mr. Kennedy went through  
8       a number of press releases and articles  
9       concerning fines that CVS paid in  
10      connection with specific CVS stores.   Do  
11      you remember that line of questioning?

12                  A.       Yes.

13                  Q.       Do you know whether the vast  
14      majority of CVS's stores have never been  
15      implicated in any kind of investigation  
16      or paid a fine?

17                           MR. PAPANTONIO:   Objection.  
18                   Form.

19                           THE WITNESS:   I would say  
20                   that with the number of total  
21                   stores that CVS has, the number  
22                   that was listed is a very small  
23                   percentage.

24                           MR. O'CROININ:   All right.

1           That's all I have.

2                   MR. KENNEDY: Yeah, let  
3           me -- I'm going to ask you -- let  
4           me ask you a few questions in  
5           follow-up to the CVS questioning.

6                   If you can pull up 5007  
7           please.

8                   MS. HENN: Do you by chance  
9           have a copy for me?

10                  MR. KENNEDY: Of?

11                  MS. HENN: The exhibit.  
12           I'll just look here.

13                               -   -   -

14                               EXAMINATION

15                               -   -   -

16   BY MR. KENNEDY:

17                  Q.     Mr. Oriente, did you just  
18           tell us that you thought CVS was doing a  
19           very good job?

20                  A.     No, I did not say that,  
21           that -- that I recollect.

22                               I said that the amount of  
23           stores that were fined here in comparison  
24           to the total number of stores would be a

1 small amount, small percentage.

2 Q. Okay. So you didn't mean to  
3 say that getting fined \$77 million in  
4 2010, and then 11 in '13, another  
5 \$350,000 in '13, and a \$1.9 million fine  
6 in '14, and \$22 million in '15, and  
7 \$450,000 in '15, and 8 million and 3.5  
8 million, another 5.

9 You're not saying a total of  
10 \$130.6 million worth of fines over six  
11 years is a good job, are you?

12 MS. HENN: Objection to  
13 form.

14 BY MR. KENNEDY:

15 Q. You don't mean to tell us  
16 that, do you?

17 MS. HENN: Objection to  
18 form.

19 THE WITNESS: I don't  
20 believe that's what I said. I  
21 said the number of stores --

22 BY MR. KENNEDY:

23 Q. My question is simple.

24 MS. HENN: Counsel, please

1                   let him finish his answer.

2       BY MR. KENNEDY:

3                   Q.       You don't mean to say that,  
4       do you? That they're doing a good job  
5       here with \$130 million worth of fines?

6                   MS. HENN: Objection to  
7       form.

8                   THE WITNESS: I don't  
9       believe I commented on whether  
10      they were doing a good job. I  
11      believe my comment was a small  
12      percentage of the stores had  
13      problems.

14      BY MR. KENNEDY:

15                  Q.       Let me ask you right now.  
16      Do you think CVS was doing a good job  
17      with \$130 million worth of fines over six  
18      years? Do you think that's a good job in  
19      monitoring the flow of narcotics into our  
20      communities. Do you think that is a good  
21      job?

22                  MS. HENN: Objection to  
23      form.

24                  THE WITNESS: I think based

1           off of the fines they could have  
2           done a better job, yes.

3                   MR. KENNEDY: I've got  
4           nothing further.

5                   MS. HENN: Thank you. But I  
6           want to reserve signature. I  
7           think I mentioned earlier the  
8           whole transcript should be marked  
9           highly confidential pending  
10          review.

11                   THE VIDEOGRAPHER: This  
12          marks the end of today's  
13          deposition. The time is 6:18 p.m.

14                   (Excused.)

15                   (Deposition concluded at  
16          approximately 6:18 p.m.)

17

18

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1  
2 CERTIFICATE  
3  
4

5 I HEREBY CERTIFY that the  
6 witness was duly sworn by me and that the  
7 deposition is a true record of the  
8 testimony given by the witness.

9 It was requested before  
10 completion of the deposition that the  
11 witness, MICHAEL ORIENTE, have the  
12 opportunity to read and sign the  
13 deposition transcript.

14  
15 \_\_\_\_\_  
16 MICHELLE L. GRAY,  
17 A Registered Professional  
18 Reporter, Certified Shorthand  
19 Reporter, Certified Realtime  
20 Reporter and Notary Public  
21 Dated: July 24, 2018  
22  
23  
24

25 (The foregoing certification  
26 of this transcript does not apply to any  
27 reproduction of the same by any means,  
28 unless under the direct control and/or  
29 supervision of the certifying reporter.)  
30  
31  
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1 INSTRUCTIONS TO WITNESS

2  
3 Please read your deposition  
4 over carefully and make any necessary  
5 corrections. You should state the reason  
6 in the appropriate space on the errata  
7 sheet for any corrections that are made.

8 After doing so, please sign  
9 the errata sheet and date it.

10 You are signing same subject  
11 to the changes you have noted on the  
12 errata sheet, which will be attached to  
13 your deposition.

14 It is imperative that you  
15 return the original errata sheet to the  
16 deposing attorney within thirty (30) days  
17 of receipt of the deposition transcript  
18 by you. If you fail to do so, the  
19 deposition transcript may be deemed to be  
20 accurate and may be used in court.



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4 PAGE LINE CHANGE

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1  
2 ACKNOWLEDGMENT OF DEPONENT  
3

4 I, \_\_\_\_\_, do  
5 hereby certify that I have read the  
6 foregoing pages, 1 - 611, and that the  
7 same is a correct transcription of the  
8 answers given by me to the questions  
9 therein propounded, except for the  
10 corrections or changes in form or  
11 substance, if any, noted in the attached  
12 Errata Sheet.  
13  
14

15 \_\_\_\_\_  
16 MICHAEL ORIENTE

DATE

17  
18  
19 Subscribed and sworn  
to before me this

20 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

21 My commission expires: \_\_\_\_\_  
22 \_\_\_\_\_

23 Notary Public  
24

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